

Message

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 9/21/2021 7:46:21 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** Fwd: OMB is ready to clear MATS

Late-breaking new.

Sent from my iPhone

Begin forwarded message:

**From:** "Culligan, Kevin" <Culligan.Kevin@epa.gov>  
**Date:** September 21, 2021 at 2:29:43 PM EDT  
**To:** "Goffman, Joseph" <Goffman.Joseph@epa.gov>, "Carbonell, Tomas" <Carbonell.Tomas@epa.gov>  
**Cc:** "Tsirigotis, Peter" <Tsirigotis.Peter@epa.gov>, "Campbell, Ann" <Campbell.Ann@epa.gov>  
**Subject:** **OMB is ready to clear MATS**

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 9/1/2021 11:40:15 AM  
**To:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** Re: OMB mtg today

Thank you.

Sent from my iPhone

On Sep 1, 2021, at 7:37 AM, Campbell, Ann <Campbell.Ann@epa.gov> wrote:

Spoke with Josh already this morning who will relay. If she needs more I will jump on a call with her.

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Wednesday, September 1, 2021 7:32 AM  
**To:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** Re: OMB mtg today

That's right. Please let her know. Thanks

Sent from my iPhone

On Sep 1, 2021, at 7:21 AM, Campbell, Ann <Campbell.Ann@epa.gov> wrote:

## Deliberative Process / Ex. 5

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

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**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Wednesday, September 1, 2021 6:49 AM  
**To:** Fox, Radhika <Fox.Radhika@epa.gov>  
**Cc:** Chaudhary, Dimple <Chaudhary.Dimple@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Subject:** RE: OMB mtg today

# Deliberative Process / Ex. 5

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**From:** Fox, Radhika <[Fox.Radhika@epa.gov](mailto:Fox.Radhika@epa.gov)>  
**Sent:** Wednesday, September 1, 2021 6:44 AM  
**To:** Arroyo, Victoria <[Arroyo.Victoria@epa.gov](mailto:Arroyo.Victoria@epa.gov)>  
**Cc:** Chaudhary, Dimple <[Chaudhary.Dimple@epa.gov](mailto:Chaudhary.Dimple@epa.gov)>  
**Subject:** OMB mtg today

Hi Vicki:

# Deliberative Process / Ex. 5

Thanks, radhika

Radhika Fox  
Assistant Administrator for Water  
U.S. Environmental Protection Agency  
[Fox.Radhika@epa.gov](mailto:Fox.Radhika@epa.gov)

Message

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 9/16/2021 11:02:54 PM  
**To:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**CC:** Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** Re: MATS near closure

Chris Hoagland told me this AM that CPO “wants to run a couple of traps” before the rule is released and that we’re looking at early next week pending the trap-running.

Sent from my iPhone

On Sep 16, 2021, at 6:39 PM, Arroyo, Victoria <Arroyo.Victoria@epa.gov> wrote:

Hi Joe and Dan – let me know if there’s something I should do on this timing question please. Thanks!  
Vicki

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**From:** Schillo, Bruce <Schillo.Bruce@epa.gov>  
**Sent:** Thursday, September 16, 2021 6:36 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Cc:** Curry, Bridgid <Curry.Bridgid@epa.gov>  
**Subject:** MATS near closure

OMB sent suggested revisions to the Cost Memo that they had discussed with OAR yesterday.

Vlad noted the following in his e-mail:

Provided you are okay with this suggested edit, we should be able to conclude our review rather quickly. I should also point out that I understand that there policy-level conversations taking place right now regarding the timing of roll-out so we could discuss whether there is a preference for exactly when OMB concludes its review. If, however, you have concerns with the text being copied in from the preamble, please let me know and we can discuss the path forward.

Message

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 10/12/2021 7:38:02 PM  
**To:** Atkinson, Emily [Atkinson.Emily@epa.gov]  
**CC:** Kim, Eunjung [Kim.Eun@epa.gov]  
**Subject:** RE: Due Today by 4:30pm FY2021 End of Year Performance Review with Janet McCabe  
**Attachments:** JG Self Assessment v3.docx

Joseph Goffman  
Acting Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Sent:** Tuesday, October 12, 2021 9:44 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** RE: Due Today by 4:30pm FY2021 End of Year Performance Review with Janet McCabe

Great – thanks Joe.

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Tuesday, October 12, 2021 9:39 AM  
**To:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Cc:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** RE: Due Today by 4:30pm FY2021 End of Year Performance Review with Janet McCabe

All done, pending ironing out some wrinkles in the formatting. Thanks.

Joseph Goffman  
Acting Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Atkinson, Emily <Atkinson.Emily@epa.gov>  
**Sent:** Tuesday, October 12, 2021 9:37 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** Due Today by 4:30pm FY2021 End of Year Performance Review with Janet McCabe

Hi Joe –

Your performance review is scheduled for tomorrow with Janet. Please send your self-assessment by 4:30pm today so I can include it in her take home folder tonight.

Thank you!  
Emily

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**From:** Atkinson, Emily  
**Sent:** Wednesday, October 06, 2021 11:08 AM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** Reminder: FY2021 End of Year Performance Review with Janet McCabe

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**From:** Atkinson, Emily  
**Sent:** Friday, September 24, 2021 3:04 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** FY2021 End of Year Performance Review with Janet McCabe

Hi Joe,

I have scheduled your year-end review with Janet McCabe for next month.

Please submit a two page year end self-assessment via email to me no later than COB on Friday, October 8 for Janet McCabe to review in advance.

Let me know if you have any questions.

Thank you!  
Emily

Emily Atkinson  
Special Assistant  
Office of the Deputy Administrator  
U.S. Environmental Protection Agency  
Room 3412D, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 10/19/2021 10:48:26 PM  
**To:** Peter Tsirigotis (Tsirigotis.Peter@epa.gov) [Tsirigotis.Peter@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Gunning, Paul [Gunning.Paul@epa.gov]; Dunham, Sarah (Dunham.Sarah@epa.gov) [Dunham.Sarah@epa.gov]; Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]  
**CC:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Alejandra Nunez (Nunez.Alejandra@epa.gov) [Nunez.Alejandra@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** FW: White House doubles down on executive action as Democrats consider scaling back Hill climate plan

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Conger, Nick <Conger.Nick@epa.gov>  
**Sent:** Tuesday, October 19, 2021 6:41 PM  
**To:** Utech, Dan <Utech.Dan@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>  
**Cc:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Lamy, Kendra <Lamy.Kendra@epa.gov>  
**Subject:** White House doubles down on executive action as Democrats consider scaling back Hill climate plan

Just flagging this WaPo story that just posted that points to some comments from Jen Psaki today where she referenced EPA actions on climate, and uses a quote from the Administrator from his recent interview with Dino and Maxine. This is a storyline that will only continue to develop as we move closer to COP and as the BBB talks push on.

#### **White House doubles down on executive action as Democrats consider scaling back Hill climate plan**

President Biden, his press secretary said, "has not waited for legislation" as he heads into major U.N. climate talks in Glasgow

By Dino Grandoni and Tony Romm

<https://www.washingtonpost.com/climate-environment/2021/10/19/climate-reconciliation-biden-white-house/>

The Biden administration is working to salvage its credibility on climate change by shoring up key provisions in a troubled tax and spending bill and demonstrating its ability to cut greenhouse gas emissions without the help of Congress.

The rush to write climate legislation as part of a massive budget bill comes ahead of critical United Nations climate talks in Glasgow starting Oct. 31, where Biden and his team plan to push other nations to cut their own emissions. Failure to enact an ambitious set of policies could undermine Biden's ability to broker a deal aimed at averting catastrophic warming.

Biden's climate agenda suffered a major blow after a key Democratic senator, Joe Manchin III (W.Va.), expressed opposition to a program to reward electric utilities for switching to renewable energy — and penalize those that don't. The Clean Electricity Performance Program, or CEPP, aims to accelerate power plants' transition away from fossil fuels, including coal mined in Manchin's home state.

Now, White House officials and some of their key allies in the Senate are arguing that the United States can still meet its commitment under the Paris agreement to cut the nation's carbon output in half by the end of the decade, compared to 2005 levels, through a combination of other executive and legislative action.

"We're just going to have to work hard on a continuing basis to achieve that goal in this package and what the administration can do," said Sen. Edward J. Markey (D-Mass.) in an interview.

Biden hopes to use the U.S. pledge to secure more ambitious targets from other major emitters at the U.N. summit, which aims to keep the global temperature rise to 1.5 degrees Celsius (2.7 degrees Fahrenheit) compared to pre-industrial levels. The planet has already warmed by 1.2 degrees C.

"The unspoken consensus surrounding the U.N. climate summit is that the Biden administration needs to get its infrastructure bills through Congress unhindered to keep the 1.5 degrees target on the table," said Chris Venables, head of politics at Green Alliance, a London-based think tank. "Without the U.S. showing it is deadly serious about investing in the clean economy, the diplomatic background music will be critically weakened."

Markey, who spearheaded a climate bill through the House more than a decade ago only to watch it later die in the Democrat-controlled Senate, is hoping to avoid a similar fate this time. "We just have to make sure emissions reductions, jobs and justice are at the heart of any package we pass."

A new analysis published Tuesday by the Rhodium Group suggests that the nation can achieve that level of emissions reductions without the new power plant proposal — but it will require sweeping executive action by not only the Biden administration but state governments as well.

Congress would still have to enact the other clean energy provisions in the budget bill, the economic research firm said, including the extension of tax breaks for renewable generation, tax credits for electric vehicles and grants for clean energy.

"The U.S. can meet its climate targets without the CEPP," said Ben King, a senior analyst at the firm. "But it's pretty difficult."

Preparing for the possible defeat of the clean electricity program, the White House is also emphasizing there is more than one way to meet Biden's climate goal. "The good news is there are a range of good ideas and proposals out there from members of Congress," White House press secretary Jen Psaki told reporters Monday.

Already during Biden's first nine months in office, she noted, the Environmental Protection Agency has moved to tighten tailpipe emissions from new cars and curb the use of super-polluting chemicals in refrigerators and air conditioners.

Biden, she said, "has not waited for legislation."

And the EPA is days away from issuing a major new rule to plug the leaking of methane, a greenhouse gas more powerful than carbon dioxide, from new and existing oil and gas operations.

"We need to lean in and set a very aggressive standard so that the industry understands what the rules of engagement are and what the expectations are," EPA Administrator Michael Regan said in an interview with The Post this month. "Methane is such a potent pollutant, it's important that we understand what the contribution is from this industry."

But some of the biggest potential reductions in U.S. emissions lie in the nation's power sector. Environmental advocates hope the administration will use the Clean Air Act to cut carbon emissions from power plants, even without the help of Congress.



The EPA is poised to soon bolster that existing authority by restoring the legal foundation for curbing coal plants' mercury emissions, which was undone under the Trump' administration. Limiting mercury, a dangerous neurotoxin, can also cut down on climate pollution released alongside it.

"EPA legally does have many tools" to cut power-plant emissions, said Natural Resources Defense Council senior attorney Emily Davis. She added that the mercury rule, "once we see it, could be one of those tools."

But it's a tricky task, given that the Supreme Court once blocked an Obama-era plan to cut greenhouse gas emissions under a Clean Air Act rule.

Even without sweeping regulation, hundreds of U.S. coal plants have shut down over the past decade, due to stiff competition from cheaper natural gas, wind and solar generation.

More recently, the United States has slipped. With tighter gas supplies during the coronavirus pandemic, the use of coal for electricity in the United States is actually expected this year to increase for the first time since 2014, according to a report this week from the U.S. Energy Information Administration.

The most significant remaining climate policy in the reconciliation package is a suite of tax credits to build solar and wind projects and consumers to buy electric vehicles.

"The Finance Committee proposal, which got full support on our side, was always the linchpin of the carbon agenda," said Sen. Ron Wyden (D-Ore.), who is shepherding the tax package as chair of the Senate Finance Committee.

Yet if the climate provisions get watered down even further, some liberal senators warn they may pull their support. With a razor-thin majorities in both the House and Senate, Democrats can't afford to lose many votes in their caucus.

"I can't support a reconciliation bill that doesn't have a strong climate title, and I think there are a lot of folks who share that belief in the Senate," Sen. Chris Murphy (D-Conn.) said, without specifying his bottom line.

"I know the administration has been talking more about the potential for executive action to be significantly impactful," he added. "My current belief is without legislative changes we're not going to come anywhere close to our Paris agreement [commitment]. But I'm eager to see something from the administration that suggests otherwise."

Some Democrats have floated the idea of replacing the clean electricity program with a tax on carbon dioxide pollution. But while popular among economists, some Democrats view it as politically explosive.

"I'm not a big fan of the carbon tax," Sen. Jon Tester (D-Mont.) told reporters Tuesday. "I just don't think it works in the way it was explained to me."

Many Democrats and environmental advocates remain intent on forging a deal, given that this may represent the best shot in a generation to pass meaningful climate legislation.

"Would it be different if there were 70 of me in the Senate? Sure," said Sen. Brian Schatz (D-Hawaii), one of the Senate's biggest climate hawks, on Monday evening. "But I don't think we want to catastrophize this thing quite yet."

Maxine Joselow, Karla Adam and William Booth contributed to this report.

Nick Conger  
Press Secretary  
Environmental Protection Agency  
202-941-1116 (mobile)  
[Newsroom](#)

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 11/24/2021 1:37:07 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]; Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]  
**Subject:** FW: Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am  
**Attachments:** Letter to Todd Kim re EPA position on SCOTUS ACE Rule case\_11-22-21\_9pm jg.docx

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Wednesday, November 24, 2021 8:04 AM  
**To:** McCabe, Janet <McCabe.Janet@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Hoffman, Howard <hoffman.howard@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>  
**Subject:** RE: Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am

## Ex. 5 Attorney Client (AC)

Hope this helps and that we can all enjoy some real (not virtual) hiking trails and the outdoors this holiday weekend. Happy Thanksgiving!

Best,  
Vicki

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**From:** McCabe, Janet <[McCabe.Janet@epa.gov](mailto:McCabe.Janet@epa.gov)>  
**Sent:** Tuesday, November 23, 2021 8:20 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Hoffman, Howard <[hoffman.howard@epa.gov](mailto:hoffman.howard@epa.gov)>; Arroyo, Victoria <[Arroyo.Victoria@epa.gov](mailto:Arroyo.Victoria@epa.gov)>; Prieto, Jeffrey <[Prieto.Jeffrey@epa.gov](mailto:Prieto.Jeffrey@epa.gov)>; Payne, James (Jim) <[payne.james@epa.gov](mailto:payne.james@epa.gov)>; Srinivasan, Gautam <[Srinivasan.Gautam@epa.gov](mailto:Srinivasan.Gautam@epa.gov)>; Marks, Matthew <[Marks.Matthew@epa.gov](mailto:Marks.Matthew@epa.gov)>  
**Subject:** Re: Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am

# Ex. 5 Attorney Client (AC)

Sent from my iPad

On Nov 23, 2021, at 7:19 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

# Ex. 5 Attorney Client (AC)

Thanks, again, for considering. Feel free not to spend your limited time and energy responding to my comments in the likely event you don't find them useful.

Best,  
Joe

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Hoffman, Howard <[hoffman.howard@epa.gov](mailto:hoffman.howard@epa.gov)>  
**Sent:** Monday, November 22, 2021 9:22 PM

**To:** McCabe, Janet <McCabe.Janet@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>  
**Cc:** Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Hogan, Stephanie <Hogan.Stephanie@epa.gov>; Vijayan, Abi <Vijayan.Abi@epa.gov>; Jordan, Scott <Jordan.Scott@epa.gov>; Greenglass, Nora <Greenglass.Nora@epa.gov>; Schramm, Daniel <Schramm.Daniel@epa.gov>; Garfinkle, Stacey <garfinkle.stacey@epa.gov>

**Subject:** Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am

# Ex. 5 Attorney Client (AC)

Howard J. Hoffman USEPA-OGC-ARLO (202) 564-5582(O) Ex. 6 Personal Privacy (PP) Room 7415 WJC-North  
Mailing address: Mail Code 7344A, 1200 Pennsylvania Ave. NW Washington, D.C. 20460

The contents of this message may be subject to the attorney-client, work-product, or deliberative process privileges.

<Letter to Todd Kim re EPA position on SCOTUS ACE Rule case\_11-22-21\_9pm jg.docx>

Appointment

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 11/24/2021 8:49:48 PM  
**To:** Nishida, Jane [Nishida.Jane@epa.gov]  
**Subject:** Accepted: AA Level Coordination Meeting on Minamata Convention on Mercury  
**Location:** Microsoft Teams Meeting  
**Start:** 1/6/2022 6:00:00 PM  
**End:** 1/6/2022 7:00:00 PM  
**Recurrence:** (none)

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 12/8/2021 12:52:38 PM  
**To:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** RE: Coordination for Wednesday's at Capitol

Ah, yes. I kept seeing that and forgetting it. Denial is a powerful force. So be it. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Wednesday, December 8, 2021 7:51 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** RE: Coordination for Wednesday's at Capitol

No, we rescheduled the OIRA call to 3p today so you can participate (I don't know whether that's a good thing I did or a

## Ex. 5 Deliberative Process (DP)

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Wednesday, December 8, 2021 7:47 AM  
**To:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** RE: Coordination for Wednesday's at Capitol

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Wednesday, December 8, 2021 7:22 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** Re: Coordination for Wednesday's at Capitol

I think we keep it and if it ends early, it ends early. There is a lot being transacted right now - including that I just

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Ann (Campbell) Ferrio  
Chief of Staff  
Office of Air and Radiation  
(202) 566-1370

On Dec 7, 2021, at 9:00 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

Should we cancel Air Issues? Happy to call in while in transit if you think we need it, but I'm not sure we do. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Goffman, Joseph  
**Sent:** Tuesday, December 7, 2021 8:59 PM  
**To:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Cc:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>  
**Subject:** RE: Coordination for Wednesday's at Capitol

That'll work. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Sent:** Tuesday, December 7, 2021 8:46 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>  
**Subject:** RE: Coordination for Wednesday's at Capitol

Hey Joe,  
Looping you into this conversation with Maria. We have a slight change of plans on coordinating tomorrow's travel to the Capitol. Given that you and Maria will need to be at the Capitol by 10:30, Maria is proposing that you meet her at 10am by HQ's 12th St entrance next to the Federal Triangle Metro Stop.  
From there you will both Uber to the meeting. Please let me know if you have any questions or would like to discuss this further.

Thanks!

Eunjung Kim  
Special Assistant  
Office of Air and Radiation  
Environmental Protection Agency

(202) 815-7252

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**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Tuesday, December 7, 2021 8:33 PM  
**To:** Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>  
**Subject:** RE: Coordination for Wednesday's at Capitol

Hi Eunjung, thanks for all your work!

Regarding getting to the Capitol, I talked with Ashley and we should plan to be at the Capitol by 10:30. It's about a 10 minute drive, but sometimes it can take the Uber a few minutes to arrive, so my plan is to call an uber by a little after 10 AM. I recommend Joe be at HQ by 10 AM and we can call an Uber by 10:15.

Where is the OAR office? I have to admit I am not at all familiar with the EPA campus yet. Would it work for Joe to meet at the EPA's 12<sup>th</sup> Street entrance right next to the federal triangle metro stop? Happy to hop on a call and discuss logistics/what works tomorrow morning.

Thanks!  
Maria

---

**From:** Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>  
**Sent:** Tuesday, December 7, 2021 7:00 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Subject:** RE: Coordination for Wednesday's at Capitol

Hey Maria,  
Thanks again for all your work on this meeting. Could you share what your plans are for you and Joe to travel to the Capitol together? He is planning to be at HQ by 10:30, if not sooner.

Eunjung Kim  
Special Assistant  
Office of Air and Radiation  
Environmental Protection Agency  
(202) 815-7252

---

**From:** Morgan, Ashley <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>  
**Sent:** Tuesday, December 7, 2021 3:54 PM  
**To:** Lance, Kathleen <[Lance.Kathleen@epa.gov](mailto:Lance.Kathleen@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** RE: Coordination for Wednesday's at Capitol

Hi there –

Flagging that due to spacing in the Administrator's vehicle tomorrow, Maria and Joe will need to ride separately to the U.S. Capitol. I spoke with Maria and she going to help coordinate the ride to the Capitol tomorrow morning. Please plan to arrive by 10:30 AM. For awareness, I will be at the Capitol ahead of time to advance. Should anything be needed please let me know.

Thanks!  
Ashley



**Ashley M. Morgan**  
Deputy Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 909-9983

---

**From:** Lance, Kathleen <[Lance.Kathleen@epa.gov](mailto:Lance.Kathleen@epa.gov)>  
**Sent:** Monday, December 6, 2021 12:36 PM  
**To:** Morgan, Ashley <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Coordination for Wednesday's at Capitol

Ashley – I will also staff him as trip director on Wed for this event, and the other two WH events.

Kindly,

Kathleen C. Lance  
Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 941-1109

---

**From:** Morgan, Ashley <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>  
**Sent:** Monday, December 6, 2021 10:59 AM  
**To:** Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Lance, Kathleen <[Lance.Kathleen@epa.gov](mailto:Lance.Kathleen@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** Coordination for Wednesday's at Capitol

Hi there –

For Wednesday, Joe Goffman and Maria are welcome to ride with the Administrator over to the Capitol. They both should plan to be in the Administrator's suite at 10:20 AM for departure. Additionally, Joe and Maria will need to be coordinate a ride back to the headquarters after the meeting, as the Administrator is going to be heading to another meeting across town immediately afterwards. Please let me know if you have any questions.

Thanks!  
Ashley

**Ashley M. Morgan**  
Deputy Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 909-9983

Message

---

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 12/15/2021 2:28:23 AM  
**To:** Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** Pending Items

# Ex. 5 Deliberative Process (DP)

Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 9/3/2021 1:34:10 PM  
**To:** John Shoaff (Shoaff.John@epa.gov) [Shoaff.John@epa.gov]  
**CC:** Shaw, Betsy [Shaw.Betsy@epa.gov]; Alejandra Nunez (Nunez.Alejandra@epa.gov) [Nunez.Alejandra@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** FW: More on Guidance conversation  
**Attachments:** Guidances Issued by Office since Jan 2017.xlsx; Re-executed Memo re Guidance Rule Rescission 5-18-21(003).docx; OIRA IRIS Process Reset to Admin Regan 6 17 21\_signed.pdf

Would appreciate your thoughts on whom to designate for this. Thanks.

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Friday, September 3, 2021 9:31 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Frey, Christopher <Frey.Christopher@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>  
**Cc:** Cassady, Alison <Cassady.Alison@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>; Fine, Philip <Fine.Philip@epa.gov>; Monger, Jon <Monger.Jon@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>  
**Subject:** More on Guidance conversation

Sharing these materials again per Janet's current "ask" on the call re: reviewing guidance. Please designate a lead person for each of your offices on this and share with me and Bill Nickerson. Thanks!  
 Vicki

**From:** Nickerson, William <Nickerson.William@epa.gov>  
**Sent:** Thursday, September 2, 2021 4:00 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Fine, Philip <Fine.Philip@epa.gov>  
**Subject:** follow up from today's call with the Deputy Administrator on Guidance

Vicki and Phil,

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Bill

**From:** Manibusan, Mary <Manibusan.Mary@epa.gov>

**Sent:** Tuesday, June 22, 2021 4:57 PM

**To:** RSC Core <RSC\_Core@epa.gov>; RSC Regions Core <RSC\_Regions\_Core@epa.gov>

**Cc:** RMD Desk Officers <RMD\_DO@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Kramer, Melissa <Kramer.Melissa@epa.gov>; Corrales, Mark <Corrales.Mark@epa.gov>

**Subject:** Revocation of EO 13891 Guidance Rule and Portal - Rescinding Previously Issued Guidance Documents

RSC Members,

With the revocation of EO 13891 from the previous Administration regarding guidance and rescission of the EPA's rule on guidance, we are now encouraging you to review guidance documents from your program/regional office area that were issued during the previous Administration that may warrant revision or rescission. We recognize the level of effort required to conduct such a review and to assist you in this endeavor, OP staff has provided the following information:

1. Recent memo from Sharon Block that rescinded the Paul Ray memo (OIRA IRIS Process Reset to Admin Regan 6 17 21\_signed.pdf)
2. Recent memo from Melissa Hoffer in OGC about factors to consider when revising or rescinding previous guidance, issued on May 18, 2021 (Re-executed memo re Guidance Rule Rescission 5-18-21.docx)
3. List of guidance documents that were designated as guidance and issued during the previous Administration (Guidance Issued by Office since January 2017.xlsx)

Please consider if there are any consequential guidance documents from the previous Administration that should be revisited. The most prominent of these are probably most familiar to you and your program office, but the materials provided by OP should be helpful in identifying other documents.

If you have any questions, please do not hesitate to contact me, or Melissa Kramer.

Thank you!

Mary

Mary Manibusan, Director  
Regulatory Management Division (RMD)  
(202) 754-1986

**RMD Mission Statement:** Provides Effective Centralized Management of Regulatory Actions to Ensure Public Health and Environmental Protection.

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## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/7/2022 7:13:04 PM  
**To:** Cassady, Alison [Cassady.Alison@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Profeta, Timothy [Profeta.Timothy@epa.gov]  
**Subject:** RE: Overview of Potential Power Plant Strategy  
**Attachments:** 2022-1-6 Power Sector elements-timing V2.pptx

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

---

**From:** Cassady, Alison <Cassady.Alison@epa.gov>  
**Sent:** Friday, January 7, 2022 2:09 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Profeta, Timothy <Profeta.Timothy@epa.gov>  
**Subject:** Overview of Potential Power Plant Strategy

Hi all,

As Joe knows, the Climate Policy Office is interested in receiving a briefing in short order—not yet scheduled, however—on all of the elements of a potential power plant strategy and announcement.

Dan and I thought it would make sense to update this PowerPoint, which you used to brief the Administrator in August. I defer to you on whether that makes sense, or whether you would want to start from scratch, but Dan was particularly interested in updating slide 7.

Thoughts?

Alison

Alison L. Cassady  
 Deputy Chief of Staff for Policy  
 U.S. Environmental Protection Agency  
 Cell: (202) 941-6036

---

**From:** Lance, Kathleen <Lance.Kathleen@epa.gov>  
**Sent:** Tuesday, August 24, 2021 8:29 AM  
**To:** Utech, Dan <Utech.Dan@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>; Srivastava, Ravi <Srivastava.Ravi@epa.gov>; Lin, Walter <lin.walter@epa.gov>; Ward, Hillary <Ward.Hillary@epa.gov>; Ndoh, Tina <Ndoh.Tina@epa.gov>; Wood, Anna <Wood.Anna@epa.gov>; Wayland, Richard <Wayland.Richard@epa.gov>; Cozzie, David <Cozzie.David@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Sasser, Erika <Sasser.Erika@epa.gov>; Jones, Rhea <Jones.Rhea@epa.gov>; Macpherson, Alex <Macpherson.Alex@epa.gov>; Dolwick, Pat <Dolwick.Pat@epa.gov>; Fellner, Christian <Fellner.Christian@epa.gov>; Howard, Jodi <Howard.Jodi@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>; Rimer, Kelly <Rimer.Kelly@epa.gov>; Terry, Sara <Terry.Sara@epa.gov>; Chan,

Elizabeth <Chan.Elizabeth@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Mathias, Scott <Mathias.Scott@epa.gov>; Brachtl, Megan <Brachtl.Megan@epa.gov>; Edwards, Chebryll <Edwards.Chebryll@epa.gov>; Abrahamian, Tanya <abrahamian.tanya@epa.gov>; Chappell, Regina <Chappell.Regina@epa.gov>; Payne, JamesJ <payne.jamesj@epa.gov>; Fox, Loren <Fox.Loren@epa.gov>; Epps-Price, Lena <Epps-Price.Lena@epa.gov>; Fox, Tyler <Fox.Tyler@epa.gov>; Houyoux, Marc <Houyoux.Marc@epa.gov>; Hemby, James <Hemby.James@epa.gov>; Kelly, James <kelly.james@epa.gov>; South, Peter <South.Peter@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; Noonan, Jenny <Noonan.Jenny@epa.gov>; Davis, Alison <Davis.Alison@epa.gov>; Wright, Rhonda <Wright.Rhonda@epa.gov>; Pinder, Robert <pinder.robert@epa.gov>; Wayland, Robertj <Wayland.Robertj@epa.gov>; Weatherhead, Darryl <Weatherhead.Darryl@epa.gov>; Maniloff, Peter <Maniloff.Peter@epa.gov>; Rao, Raj <Rao.Raj@epa.gov>; Tejada, Matthew <Tejada.Matthew@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Huggins, Richard <Huggins.Richard@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Best-Wong, Benita <Best-Wong.Benita@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Weaver, Susannah <Weaver.Susannah@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Fine, Philip <Fine.Philip@epa.gov>; Macedonia, Jennifer <Macedonia.Jennifer@epa.gov>; McGartland, Al <McGartland.Al@epa.gov>; Evans, DavidA <Evans.DavidA@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; DeFigueiredo, Mark <DeFigueiredo.Mark@epa.gov>; Stenhouse, Jeb <Stenhouse.Jeb@epa.gov>; Ashley, Jackie <Ashley.Jackie@epa.gov>; Hogan, Stephanie <Hogan.Stephanie@epa.gov>; Hoffman, Howard <hoffman.howard@epa.gov>; Vijayan, Abi <Vijayan.Abi@epa.gov>; Schramm, Daniel <Schramm.Daniel@epa.gov>; Greenglass, Nora <Greenglass.Nora@epa.gov>; Garfinkle, Stacey <garfinkle.stacey@epa.gov>; Swanson, Nicholas <Swanson.Nicholas@epa.gov>; Ashley, John <ashley.john@epa.gov>; Keaveny, Brian <Keaveny.Brian@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Gilbreath, Jan <Gilbreath.Jan@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Sullivan, Greg <Sullivan.Greg@epa.gov>

**Subject:** RE: Video-call: Overview of Potential Power Plant Strategy

Materials attached for today's 1:00PM.

-----Original Appointment-----

**From:** scheduling

**Sent:** Thursday, August 19, 2021 9:32 PM

**To:** scheduling; Utech, Dan; Goffman, Joseph; Tsirigotis, Peter; Koerber, Mike; Srivastava, Ravi; Lin, Walter; Ward, Hillary; Ndoh, Tina; Wood, Anna; Wayland, Richard; Cozzie, David; Cassidy, Alison; Sasser, Erika; Jones, Rhea; Macpherson, Alex; Dolwick, Pat; Fellner, Christian; Howard, Jodi; Carbonell, Tomas; Kim, Eunjung; Rimer, Kelly; Terry, Sara; Chan, Elizabeth; Culligan, Kevin; Mathias, Scott; Brachtl, Megan; Edwards, Chebryll; Abrahamian, Tanya; Chappell, Regina; Payne, JamesJ; Fox, Loren; Epps-Price, Lena; Fox, Tyler; Houyoux, Marc; Hemby, James; Kelly, James; South, Peter; Lassiter, Penny; Noonan, Jenny; Davis, Alison; Wright, Rhonda; Pinder, Robert; Wayland, Robertj; Weatherhead, Darryl; Maniloff, Peter; Rao, Raj; Tejada, Matthew; Hutson, Nick; Breen, Barry; Waterhouse, Carlton; Huggins, Richard; Fox, Radhika; Best-Wong, Benita; Hoffer, Melissa; Weaver, Susannah; Srinivasan, Gautam; Marks, Matthew; Arroyo, Victoria; Fine, Philip; Macedonia, Jennifer; McGartland, Al; Evans, DavidA; Grundler, Christopher; Birnbaum, Rona; DeFigueiredo, Mark; Stenhouse, Jeb; Ashley, Jackie; Hogan, Stephanie; Hoffman, Howard; Vijayan, Abi; Schramm, Daniel; Greenglass, Nora; Garfinkle, Stacey; Swanson, Nicholas; Ashley, John; Keaveny, Brian; Efron, Brent; Curry, Bridgid; Gilbreath, Jan; Hamilton, Lindsay; Sullivan, Greg

**Subject:** Video-call: Overview of Potential Power Plant Strategy

**When:** Tuesday, August 24, 2021 1:00 PM-1:45 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** RTP MAIN BUILDING ROOM A015/Microsoft Teams Meeting

***Do not forward this invitation. Please notify [scheduling@epa.gov](mailto:scheduling@epa.gov) if participant changes need to be made.***

**In-Person Attendees:**

Administrator Regan

Dan Utech, AO

Joe Goffman, OAR

Peter Tsirigotis, OAR  
Mike Koerber, OAR  
Ravi Srivastava, OAR  
Walter Lin, OAR  
Hillary Ward, OAR  
Tina Ndoh, OAR  
Anna Wood, OAR  
Chet Wayland, OAR  
David Cozzie, OAR  
Erika Sasser, OAR  
Rhea Jones, OAR  
Alex Macpherson, OAR  
Pat Dolwick, OAR  
Nick Hutson, OAR  
Christian Fellner, OAR  
Jodi Howard, OAR

**Virtual Attendees:**

Alison Cassady  
Tomas Carbonell, OAR  
Eunjung Kim, OAR  
Kelly Rimer, OAR  
Sara Terry, OAR  
Elizabeth Chan, OAR  
Kevin Culligan, OAR  
Scott Mathias, OAR  
Megan Brachtel, OAR  
Chebryll Edwards, OAR  
Tanya Abrahamian, OAR  
Regina Chappell, OAR  
James Payne, OAR  
Loren Fox, OAR  
Lena (Vickey) Epps Price, OAR  
Tyler Fox, OAR  
Marc Houyoux, OAR  
James Hemby, OAR  
James Kelly, OAR  
Pete South, OAR  
Penny Lassiter, OAR  
Jenny Noonan, OAR  
Alison Davis, OAR  
Rhonda Wright, OAR  
Rob Pinder, OAR  
Bob Wayland, OAR  
Darryl Weatherhead, OAR  
Pete Maniloff, OAR  
Raj Rao, OAR  
Matt Tejada, OEJ  
Barry Breen, OLEM  
Carlton Waterhouse, OLEM  
Richard Huggins, OLEM  
Radhika Fox, OW  
Benita Best Wong, OW

Melissa Hoffer, OGC  
Suzannah Weaver, OGC  
Gautum Srinivasan, OGC  
Mathew Marks, OGC  
Vicki Arroyo, OP  
Phil Fine, OP  
Jennifer Macedonia, OP  
Al McGartland, OP  
Dave Evans, OP  
Chris Grundler, OAP  
Rona Birnbaum, OAP  
Mark DeFiguredio, OAP  
Jeb Stenhouse, OAP  
Jackie Ashley, OAR  
Stephanie Hogan, OGC  
Howard Hoffman, OGC  
Abi Vijayan, OGC  
Dan Schramm, OGC  
Nora Greenglass, OGC  
Stacey Garfinkle, OGC  
Nicholas Swanson, OAR  
John Ashley, OAR  
Brian Keaveny, OAR  
Brent Efron, OP  
Bridgid Curry, OPRM  
Jan Gilbreath, OPRM  
Greg Sullivan, OLEM

---

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Message

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/10/2022 11:26:50 PM  
**To:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** RE: Key Rules to OMB Report and anticipated clearance of rules currently there

Right. Thanks. Ann – let's please remember to talk about this at AM RT on Tuesday.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Monday, January 10, 2022 1:16 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** RE: Key Rules to OMB Report and anticipated clearance of rules currently there

No, I think Jane F. was asking you for her awareness though (per our conversation on Friday)

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Monday, January 10, 2022 1:15 PM  
**To:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Cc:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Subject:** Re: Key Rules to OMB Report and anticipated clearance of rules currently there

Or did we mention this on our Wednesday call?

Sent from my iPhone

On Jan 10, 2022, at 1:12 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

Yay! Thank you. I flagged this rule, albeit without knowing the timing. to Jason in a phone call on Friday. Hope that helps with upload.

Sent from my iPhone

On Jan 10, 2022, at 11:08 AM, Campbell, Ann <Campbell.Ann@epa.gov> wrote:

Thank you!

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

---

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Monday, January 10, 2022 11:06 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** FW: Key Rules to OMB Report and anticipated clearance of rules currently there

FYI

---

**From:** Nickerson, William <Nickerson.William@epa.gov>  
**Sent:** Monday, January 10, 2022 11:05 AM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Kramer, Melissa <Kramer.Melissa@epa.gov>; Fine, Philip <Fine.Phillip@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Cc:** Corrales, Mark <Corrales.Mark@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>  
**Subject:** RE: Key Rules to OMB Report and anticipated clearance of rules currently there

## Ex. 5 Deliberative Process (DP)

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**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Monday, January 10, 2022 8:49 AM  
**To:** Kramer, Melissa <Kramer.Melissa@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>; Fine, Philip <Fine.Phillip@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Cc:** Corrales, Mark <Corrales.Mark@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>  
**Subject:** RE: Key Rules to OMB Report and anticipated clearance of rules currently there

## Ex. 5 Deliberative Process (DP)

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**From:** Kramer, Melissa <Kramer.Melissa@epa.gov>  
**Sent:** Monday, January 10, 2022 8:47 AM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>; Fine, Philip <Fine.Phillip@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Cc:** Corrales, Mark <Corrales.Mark@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>  
**Subject:** RE: Key Rules to OMB Report and anticipated clearance of rules currently there

Hi Vicki,

The GHG reporting rule is not on the list because it is tier 3. The report from last week is still accurate.

Melissa

---

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Monday, January 10, 2022 8:28 AM  
**To:** Nickerson, William <Nickerson.William@epa.gov>; Kramer, Melissa <Kramer.Melissa@epa.gov>; Fine, Philip <Fine.Phillip@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Cc:** Corrales, Mark <Corrales.Mark@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Maignan, Tawanda

<Maignan.Tawanda@epa.gov>

**Subject:** RE: Key Rules to OMB Report and anticipated clearance of rules currently there

Thanks, Bill – I didn't send this and Melissa's note Friday given that I was swamped. Please advise if Melissa's list is still current – wondering whether GHG reporting should be on there please? Thanks!

Vicki

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**From:** Nickerson, William <Nickerson.William@epa.gov>

**Sent:** Friday, January 7, 2022 10:29 AM

**To:** Kramer, Melissa <Kramer.Melissa@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Fine, Philip <Fine.Phillip@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>

**Cc:** Corrales, Mark <Corrales.Mark@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>

**Subject:** Key Rules to OMB Report and anticipated clearance of rules currently there

## Ex. 5 Deliberative Process (DP)

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**From:** Kramer, Melissa <Kramer.Melissa@epa.gov>

**Sent:** Wednesday, January 05, 2022 11:30 AM

**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Fine, Philip <Fine.Phillip@epa.gov>; Efron, Brent <Efron.Brent@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>

**Cc:** Corrales, Mark <Corrales.Mark@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>

**Subject:** Key Rules to OMB Report

Attached is the latest key rules to OMB report, providing only a subset of the rules expected to go to OMB in the next two months.

## Ex. 5 Deliberative Process (DP)

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Melissa Kramer, Associate Director, Regulatory Management Division  
U.S. Environmental Protection Agency | Office of Policy | Office of Regulatory and Policy Management  
3506 WJC North Building  
1200 Pennsylvania Ave. NW (MC 1803A)  
Washington, DC 20460

Office: (202) 564-8497

Cell: (202) 731-5661

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/17/2022 10:14:52 PM  
**To:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** FW: in preparation for a meeting with OMB in early February  
**Attachments:** Actions projected to go to OMB by April 30.docx; Actions that were included in the Fall 2021 Regulatory Plan.xlsx

Flagging since it came in Friday AM. Assume you are on the case. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Nickerson, William <Nickerson.William@epa.gov>  
**Sent:** Friday, January 14, 2022 2:42 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Cc:** Hofmann, Angela <Hofmann.Angela@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Lousberg, Macara <Lousberg.Macara@epa.gov>; Trombley, Michael <Trombley.Michael@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Banks, Dawn <Banks.Dawn@epa.gov>; Mattick, Richard <Mattick.Richard@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Kramer, Melissa <Kramer.Melissa@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Sughrue, Karen <Sughrue.Karen@epa.gov>; Corrales, Mark <Corrales.Mark@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Subject:** in preparation for a meeting with OMB in early February

Hello –

OMB has requested to meet with EPA in early February to get a preview of the actions we will soon be sending for interagency review and to discuss regulatory priorities for 2022. In order to begin preparing for the meeting we have created the attached documents, based on information currently in EAMS.

The attached Word document provides information on actions that are expected to go to OMB for review between now and April 30, 2022. Please examine this list and make sure it is complete. If dates need to be added or changed, or information about deadlines needs to be revised, please make the updates in EAMS. This list includes actions that we anticipate could be reviewed by OMB even if they have not yet been formally deemed significant under EO 12866. You'll notice that the document also contains a column for the reason and duration for any expedited reviews. Please use this column in the Word document to indicate if we intend to request expedited review, and if so, the duration of and reason for the expedited review.

The attached Excel document includes the list of actions EPA identified as regulatory priorities in the Fall Regulatory Plan. Please update this file by adding or deleting actions to reflect current regulatory priorities for 2022.

Please ask that your staff make any necessary updates to EAMS by January 25th. If you or your staff have any questions, please let me or Caryn Muellerleile know and we would be happy to assist.

Thank you in advance for your help.

Bill

William (Bill) Nickerson  
Director, Office of Regulatory Policy and Management  
Office of Policy  
Phone: (202) 566-0326

Message

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/21/2022 2:12:16 AM  
**To:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** RE: can you send

Thank you so much for going the extra mile on this, Ann. Have a good evening.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Thursday, January 20, 2022 9:06 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** Re: can you send

Yes, Ben sent me the dates. I added EtO using the dates in the tracker and made changes to the oil and gas language.

Ann (Campbell) Ferrio  
Chief of Staff  
Office of Air and Radiation  
(202) 566-1370

On Jan 20, 2022, at 9:03 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

This ready to go?

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>  
**Sent:** Thursday, January 20, 2022 8:59 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** RE: can you send

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

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**From:** Goffman, Joseph  
**Sent:** Thursday, January 20, 2022 7:43 PM  
**To:** Zaidi, Ali A. EOP/WHO; **Ex. 6 Personal Privacy (PP)** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: can you send

On it's way. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Zaidi, Ali A. EOP/WHO; **Ex. 6 Personal Privacy (PP)**  
**Sent:** Thursday, January 20, 2022 7:41 PM  
**To:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** Re: can you send

Thank you! And oar too if you have it!



On Jan 20, 2022, at 7:28 PM, Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)> wrote:

**Office of Land and Emergency Management**

Let me know if you want more info on any of these

## Ex. 5 Deliberative Process (DP)

Alison L. Cassidy  
Deputy Chief of Staff for Policy  
U.S. Environmental Protection Agency  
Cell: (202) 941-6036

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**From:** Cassidy, Alison  
**Sent:** Thursday, January 20, 2022 4:10 PM  
**To:** Zaidi, Ali A. EOP/WHO; **Ex. 6 Personal Privacy (PP)**  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** RE: can you send

Office of Water

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Alison L. Cassady  
Deputy Chief of Staff for Policy  
U.S. Environmental Protection Agency  
Cell: (202) 941-6036

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**From:** Zaidi, Ali A. EOP/WHO <[REDACTED]> **Ex. 6 Personal Privacy (PP)**  
**Sent:** Thursday, January 20, 2022 11:19 AM  
**To:** Cassady, Alison <Cassady.Alison@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** can you send

The list we discussed yesterday – in whatever rough form? Would really be helpful. TY

**Ali A. Zaidi**  
Deputy National Climate Advisor and Deputy Assistant to the President  
[REDACTED] **Ex. 6 Personal Privacy (PP)**

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/26/2022 11:18:06 PM  
**To:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**Subject:** RE: Just left you a voicemail re MATS

Of course.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Wednesday, January 26, 2022 6:17 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** RE: Just left you a voicemail re MATS

Can we connect right after this please?

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Wednesday, January 26, 2022 6:09 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>  
**Cc:** Hooper, Daniel <hooper.daniel@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** FW: Just left you a voicemail re MATS

Voicemail to Jason: don't hold formal clearance until Friday AM, and please tell staff that they should/can clear when ready even if the NPRM comes off the dashboard Thursday evening or Friday morning. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Goffman, Joseph  
**Sent:** Wednesday, January 26, 2022 6:06 PM  
**To:** 'Schwartz, Jason A. EOP/OMB' **Ex. 6 Personal Privacy (PP)**  
**Subject:** Just left you a voicemail re MATS

Should be self-explanatory, but call if you need to after you listen to it. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

Message

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/27/2022 1:52:16 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**CC:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**Subject:** RE: Admin wants to do MATS monday

Just talked to Vicki. We should be good. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Thursday, January 27, 2022 8:48 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Subject:** Admin wants to do MATS monday

Message

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**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/27/2022 10:38:53 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** Power Plants -- Latest deck and deck we used last August  
**Attachments:** CAA 111 GHG EGU Policy Briefing OAR 01.26.22.pptx; Power Sector Overview 081721.pptx

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/29/2022 3:44:52 PM  
**To:** Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]  
**CC:** Cassady, Alison [Cassady.Alison@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Subject:** RE: Release for Monday - MATS  
**Attachments:** MATS PR 1.28.22 final draft LHv2 mdh jg tc jg.docx

Combining Tomas' and my edits. Thanks.

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Sent:** Saturday, January 29, 2022 9:55 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Cassady, Alison <Cassady.Alison@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** RE: Release for Monday - MATS

Joe – I agree, it doesn't really work to rearrange it the way they are asking to, so I'm happy to push back there as I was already inclined to do so, and I think your other edits to their edits are minor and manageable.

Tomas – do you have more coming?

Thanks!  
 Lindsay

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Saturday, January 29, 2022 9:41 AM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Cc:** Cassady, Alison <Cassady.Alison@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** RE: Release for Monday - MATS

My two cents.

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Sent:** Saturday, January 29, 2022 8:53 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>

**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>

**Subject:** Re: Release for Monday - MATS

I'd like to have it wrapped up by tomorrow afternoon. I'll hold on making updates until I hear back from you.

We've been asked to issue at 3pm or after, DOI is rolling our news Monday AM (orphan wells).

Sent from my iPhone

On Jan 28, 2022, at 7:19 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

Thanks, Lindsay. Adding Tomas to whom I sent the draft separately. I have a couple of concerns, which I articulated to Tomas for his counsel. I wouldn't mind taking a bit of time to look at this. When is our deadline?

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>

**Sent:** Friday, January 28, 2022 6:51 PM

**To:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Subject:** FW: Release for Monday - MATS

White House sent back edits on the MATS release. Comms conferred with Ali.

They want to highlight science. I can clean these up and recirculate, just wanted to share quickly.

Thanks,  
Lindsay

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 9/11/2021 7:14:09 PM  
**To:** Cassady, Alison [Cassady.Alison@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**CC:** Campbell, Ann [Campbell.Ann@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]  
**Subject:** RE: Action Needed: National Climate Strategy Next Steps  
**Attachments:** Power Sector Overview 08 21 21.pptx

The new reg agenda may not have picked up everything we're doing on vehicles per the August 5 EO. I'm also attaching a recent slide deck on power plants in case the reg agenda fails to cover the full time long-term time span. Thanks, again.

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Goffman, Joseph  
**Sent:** Saturday, September 11, 2021 2:47 PM  
**To:** Cassady, Alison <Cassady.Alison@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Campbell, Ann <Campbell.Ann@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** RE: Action Needed: National Climate Strategy Next Steps

Thank you very much, Alison.

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Cassady, Alison <Cassady.Alison@epa.gov>  
**Sent:** Saturday, September 11, 2021 2:46 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Campbell, Ann <Campbell.Ann@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** RE: Action Needed: National Climate Strategy Next Steps

I can handle #1. I'll send Sonia what we have and let her know that more will be coming.

Thanks!

Alison L. Cassady  
 Deputy Chief of Staff for Policy  
 U.S. Environmental Protection Agency  
 Cell: (202) 941-6036

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Saturday, September 11, 2021 2:44 PM



**To:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Cc:** Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>  
**Subject:** RE: Action Needed: National Climate Strategy Next Steps

We put this template out to the 5 OAR Offices to fill in. Tomas and I will have to chase their responses down, and I will put a reminder email out to them now.

Taking your graciously volunteering to handle question number 1 at face value I will ask for a focus on number 2, but please do let me know if you need anything as you put number 1 together. I'll be around until 5 today and all day and evening tomorrow.

Thanks.

Joseph Goffman  
Acting Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Sent:** Saturday, September 11, 2021 2:32 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** FW: Action Needed: National Climate Strategy Next Steps

Hi all,

I was hoping you'd had "time" to tackle this. If not, I am 99% sure I can answer the first question using the new regulatory agenda but I could use some help with the 2<sup>nd</sup> question, where you could highlight key voluntary programs. Let me know!

## Ex. 5 Deliberative Process (DP)

Thanks,

Alison

Alison L. Cassady  
Deputy Chief of Staff for Policy  
U.S. Environmental Protection Agency  
Cell: (202) 941-6036

---

**From:** Cassady, Alison  
**Sent:** Tuesday, September 7, 2021 10:30 AM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Subject:** Action Needed: National Climate Strategy Next Steps

Hi guys,

# Ex. 5 Deliberative Process (DP)

By COB September 10, can you please help fill out this form for items related to OAR? I'm hopeful it won't actually take that long.

## Priorities for OAR's response:

# Ex. 5 Deliberative Process (DP)

Alison L. Cassady  
Deputy Chief of Staff for Policy  
U.S. Environmental Protection Agency  
Cell: (202) 941-6036

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO [Ex. 6 Personal Privacy (PP)]  
**Sent:** Friday, September 3, 2021 12:55 PM  
**To:** Laura daniel-davis@ios.doi.gov; Robert Bonnie, USDA <Robert.Bonnie@usda.gov>; kevin.bush@hud.gov; laura.schiller@dot.gov; tarak.shah@hq.doe.gov; Cassady, Alison <Cassady.Alison@epa.gov>; Porfilio, Jaclyn (Federal <JPorfilio@doc.gov>; Karen Hyun - NOAA Federal <karen.hyun@noaa.gov>; Feldman, Stefanie G. EOP/WHO [Ex. 6 Personal Privacy (PP)] English, Leandra EOP/WHO <[Ex. 6 Personal Privacy (PP)]> Nakagawa, Melanie Y. EOP/NSC [Ex. 6 Personal Privacy (PP)]>; Vahlsing, Candace M. EOP/OMB [Ex. 6 Personal Privacy (PP)] Schory, Daniel K. EOP/OMB [Ex. 6 Personal Privacy (PP)] Lee-Ashley, Matt G. EOP/CEQ [Ex. 6 Personal Privacy (PP)]>; Shulman, Sophie (OST <Sophie.Shulman@dot.gov>; Utech, Dan <Utech.Dan@epa.gov>; Lal, Bhavya (HQ-IA000 <bhavya.lal@nasa.gov>; Ramamurti, Bharat R. EOP/WHO [Ex. 6 Personal Privacy (PP)]>; Koizumi, Kei EOP/OSTP [Ex. 6 Personal Privacy (PP)] Ramoncita.C.Martinez [Ex. 6 Personal Privacy (PP)] Randolph.alles@hq.dhs.gov; Bryan, Joseph SES SD <Joseph.Bryan@sd.mil>; Rachel.Heron2@usdoj.gov; Nayak.Raj@dol.gov; Donna.Harris-Aikens@ed.gov; sonal.larsen@gsa.gov; Arsenio.Mataka@hhs.gov; Rachel.Levine@hhs.gov; Rick Duke, SPEC <DukeRD@state.gov>; Catherine.Wolfram@treasury.gov; Yohannes, Meron (Federal <MYohannes@doc.gov>; lupe.morales@hq.dhs.gov; Murren, Jack CIV SD <Jack.murren@sd.mil>; Sargrad, Scott <Scott.Sargrad@ed.gov>; Hickey, Mike J. EOP/OMB [Ex. 6 Personal Privacy (PP)]>; Zepeda, Elizabeth G <Elizabeth.G.Zepeda@hud.gov>; Sara Jordan [Ex. 6 Personal Privacy (PP)] Zelman, Allison L - OSEC <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ [Ex. 6 Personal Privacy (PP)]>; Kidd, Richard G IV SES OSD OUSD A-S (USA <richard.g.kidd6.civ@mail.mil>; John.Morton@treasury.gov; Fisher, Megan (HHS/OASH <Megan.Fisher@hhs.gov>; Cox, Alexander N. EOP/WHO [Ex. 6 Personal Privacy (PP)]> Aguilera, Allie <Allie.Aguilera@ed.gov>; Gallegos, Justina W. EOP/WHO [Ex. 6 Personal Privacy (PP)] McLaurin, Juschelle D. EOP/CEQ [Ex. 6 Personal Privacy (PP)] TOZIER, KATHLEEN <kathleen.tozier@hq.dhs.gov>; Tuckett, Gayle <Gayle.Tuckett@fda.hhs.gov>; SUNSTEIN, CASS <cass.sunstein@hq.dhs.gov>

Cc: Ali Zaidi [Ex. 6 Personal Privacy (PP)] Carlock, Gregory T. EOP/WHO <[Ex. 6 Personal Privacy (PP)]>; Roque Sanchez [Ex. 6 Personal Privacy (PP)] Thomas, Maggie M. EOP/WHO <[Ex. 6 Personal Privacy (PP)]>  
Menzelos, Arianna C. EOP/WHO [Ex. 6 Personal Privacy (PP)]  
**Subject:** National Climate Strategy next steps

Dear Colleagues,

# Ex. 5 Deliberative Process (DP)

Many thanks.

sonia aggarwal

[Ex. 6 Personal Privacy (PP)]



## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 1/31/2022 2:13:09 AM  
**To:** Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Dunham, Sarah [Dunham.Sarah@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Cassidy, Alison [Cassady.Alison@epa.gov]  
**CC:** Niebling, William [Niebling.William@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Newberg, Cindy [Newberg.Cindy@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]; Gunning, Paul [Gunning.Paul@epa.gov]  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

And especially thanks to OCIR and the OAR teams that pulled together over the weekend.

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>  
**Sent:** Sunday, January 30, 2022 9:04 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>  
**Cc:** Niebling, William <Niebling.William@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks Joe, and thanks all for your help on this!

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Sunday, January 30, 2022 8:03 PM  
**To:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>  
**Cc:** Niebling, William <Niebling.William@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

I think this language is good. Thanks.

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>  
**Sent:** Sunday, January 30, 2022 7:41 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>  
**Cc:** Niebling, William <Niebling.William@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Agreed we should absolutely send honest feedback to E&C. We just need to put together the formal written language we are comfortable sending out. I've combined what William put together with some of what Sarah shared (which was very helpful, thank you Sarah!)

Can folks please provide feedback on the following (pulled together based on the discussion so far)? Happy to add or make edits based on further discussion.

## Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Sent:** Sunday, January 30, 2022 5:52 PM

**To:** Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>

**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Newberg, Cindy <[Newberg.Cindy@epa.gov](mailto:Newberg.Cindy@epa.gov)>; Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>

**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

Adding Dan and Alison for awareness.

Sent from my iPhone

On Jan 30, 2022, at 5:49 PM, Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)> wrote:

Byron's take is below:

## Ex. 5 Deliberative Process (DP)

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**From:** Niebling, William <Niebling.William@epa.gov>

**Sent:** Sunday, January 30, 2022 5:25 PM

**To:** Dunham, Sarah <Dunham.Sarah@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>

**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>

**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

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**From:** Dunham, Sarah <Dunham.Sarah@epa.gov>

**Sent:** Sunday, January 30, 2022 5:23 PM

**To:** Niebling, William <Niebling.William@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>

**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>

**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

I am unaware of any concern, or problem, that is addressed/solved by this language.

---

**From:** Niebling, William <Niebling.William@epa.gov>

**Sent:** Sunday, January 30, 2022 5:12 PM

**To:** Grundler, Christopher <grundler.christopher@epa.gov>

**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>

**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

On Jan 30, 2022, at 4:43 PM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

### Ex. 5 Deliberative Process (DP)

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Christopher Grundler, Director  
Office of Atmospheric Programs  
U.S. Environmental Protection Agency  
(202) 343-9140 (Office)  
(734) 645-5221 (Mobile)

On Jan 30, 2022, at 4:39 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>  
**Sent:** Sunday, January 30, 2022 4:36 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Newberg, Cindy <[Newberg.Cindy@epa.gov](mailto:Newberg.Cindy@epa.gov)>; Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>  
**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

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Christopher Grundler, Director  
Office of Atmospheric Programs  
U.S. Environmental Protection Agency  
(202) 343-9140 (Office)  
(734) 645-5221 (Mobile)

On Jan 30, 2022, at 4:17 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Sunday, January 30, 2022 4:05 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thank you, Joe. I know a lot of these issues have been in the Air team's domain especially. Appreciate all that you and your team have pulled together in response to these requests.

I just received another question regarding an amendment that has come in on the bill: **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)



# Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, January 30, 2022 3:35 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Will do.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Sunday, January 30, 2022 3:33 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks Joe,

This did come back with questions. I will share the additional feedback you have provided, but could you run their below questions [in blue] by your team as well?

For the Air team specifically, they asked for the following clarification:

# Ex. 5 Deliberative Process (DP)

Thanks for your help on this,  
Maria

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, January 30, 2022 3:12 PM

**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Sorry this is late, but just in case they come back with questions about how to address some of the points we raised, notably about HFCs and other non-CO2 gases, this might help:

# Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Sunday, January 30, 2022 2:29 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>  
**Cc:** Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks very much to all of you on this chain and everyone on your team who helped pull this feedback together in such short order and over a weekend.

Attached is the compilation of comments, which I will share with HEC per their TA request.

Very grateful for your time and expertise,  
Maria

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Sunday, January 30, 2022 11:58 AM  
**To:** Kasman, Mark <Kasman.Mark@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Cc:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

One more installment from OAR:

## Ex. 5 Deliberative Process (DP)

Tomas and I are about to do a couple of hours of stakeholder calls ahead of the MATS proposal announcement tomorrow, so we may not be able to respond to anything again until mid-afternoon.

Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Goffman, Joseph  
**Sent:** Sunday, January 30, 2022 10:55 AM  
**To:** Kasman, Mark <Kasman.Mark@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Cc:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Here's another installment from OAR per Cindy Newberg, which goes beyond the jurisdictional question presented in the TA:

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation

U.S. Environmental Protection Agency

---

**From:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>

**Sent:** Sunday, January 30, 2022 10:34 AM

**To:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>

**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>

**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Dan,

## Ex. 5 Deliberative Process (DP)

Thanks for the opportunity to review.

Mark

---

**From:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>

**Sent:** Saturday, January 29, 2022 8:34 PM

**To:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>

**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>

**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

I'm interested in OITA's views.

## Ex. 5 Deliberative Process (DP)

On Jan 29, 2022, at 8:08 PM, Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)> wrote:

Here's my views informed in part from doing climate and foreign aid stuff for SFRC once upon a time:

## Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Saturday, January 29, 2022 7:42 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Will do.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Saturday, January 29, 2022 7:29 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks Joe.

## Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Saturday, January 29, 2022 6:39 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>

**Cc:** Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>

**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>

**Sent:** Saturday, January 29, 2022 6:04 PM

**To:** Kasman, Mark <Kasman.Mark@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>

**Cc:** Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>

**Subject:** Time-Sensitive: EPA weigh in on COMPETES Act

**Importance:** High

Hi all,

## Ex. 5 Deliberative Process (DP)

Thank you for your quick assistance,

**Maria Laverdiere**

Deputy Associate Administrator for Congressional Affairs

U.S. Environmental Protection Agency

Cell: (202) 961-6570

Pronouns: She/her/hers

## Message

**From:** Goffman, Joseph [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=23474D598E8D4EDFA9214A5991F2935B-GOFFMAN, JO]  
**Sent:** 2/1/2022 3:44:37 PM  
**To:** [Redacted: Ex. 6 Administrator Regan]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]  
**CC:** Utech, Dan [Utech.Dan@epa.gov]; Cassidy, Alison [Cassady.Alison@epa.gov]; McCabe, Janet [McCabe.Janet@epa.gov]; Lucey, John [Lucey.John.D@epa.gov]; Lamy, Kendra [Lamy.Kendra@epa.gov]  
**Subject:** RE: MATS Clips

Team! Team! Team! Break!

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

---

**From:** [Redacted: Ex. 6 Administrator Regan]  
**Sent:** Tuesday, February 1, 2022 10:37 AM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Cc:** Utech, Dan <Utech.Dan@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>; Lamy, Kendra <Lamy.Kendra@epa.gov>  
**Subject:** Re: MATS Clips

Thank you ... great job everyone, especially to Joe for giving us something to celebrate. Good day for EPA and clean air.

Sent from my iPhone

On Feb 1, 2022, at 9:51 AM, Hamilton, Lindsay <Hamilton.Lindsay@epa.gov> wrote:

MATS clips roundup.

**AP: EPA restores rule to limit power-plant mercury emissions**

<https://apnews.com/article/business-health-environment-and-nature-donald-trump-environment-3155202c643bbece7e0854a5e13d257c>

**Bloomberg: Power Plant Mercury Limits Get Legal Underpinnings Restored**

<https://news.bloomberglaw.com/environment-and-energy/mercury-air-rules-get-restored-legal-boost-under-epa-proposal>

**CNN: EPA to bring back mercury pollution rules that were nixed under Trump administration**

<https://www.cnn.com/2022/01/31/politics/epa-mercury-pollution-coal-plants-climate/index.html>

**E&E News: Biden admin moves to slash air toxics, boost clean energy**

<https://www.eenews.net/articles/biden-admin-moves-to-slash-air-toxics-boost-clean-energy/>

**Law360: EPA Floats Stabilizing Mercury Emissions Rule**

<https://www.law360.com/articles/1460408/epa-floats-stabilizing-mercury-emissions-rule>



**Reuters: U.S. EPA moves to advance mercury and air toxics rule**

<https://www.reuters.com/world/us/us-epa-moves-advance-mercury-air-toxics-rule-2022-01-31/>

**The Hill: Biden administration proposes restoration of power plant rules undermined by Trump**

<https://thehill.com/policy/energy-environment/592133-biden-administration-proposes-to-restore-legal-basis-for-power>

**NYT: Biden Administration to Reinstate Mercury Pollution Rules Weakened Under Trump**

<https://www.nytimes.com/2022/01/31/climate/epa-mercury-pollution-coal.html>

**WaPo: EPA affirms its right to limit mercury from power plants, as part of Biden's broader push to curb climate pollution**

<https://www.washingtonpost.com/climate-environment/2022/01/31/mercury-power-plants-epa-climate/>

**WSJ: EPA Moves to Restore Obama-Era Rules on Power Plants**

<https://www.wsj.com/articles/epa-moves-to-restore-obama-era-rules-on-power-plants-11643664569>

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**AP: EPA restores rule to limit power-plant mercury emissions**

<https://apnews.com/article/business-health-environment-and-nature-donald-trump-environment-3155202c643bbece7e0854a5e13d257c>

By Matthew Daly

WASHINGTON (AP) — In yet another reversal of a Trump-era action, the Environmental Protection Agency said Monday it will resume enforcement of a rule that limits power plant emissions of mercury and other hazardous pollutants.

The EPA action restores a 2012 rule imposed under President Barack Obama that was credited with curbing mercury's devastating neurological damage to children and prevented thousands of premature deaths while reducing the risk of heart attacks and cancer, among other public health benefits.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement. "EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of ZIP code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

The action is another example of the Biden administration reinstating environmental protections loosened under President Donald Trump.

President Joe Biden has set a goal to make the U.S. electricity sector carbon-neutral by 2035, but a sweeping, \$555 billion plan to promote clean energy such as wind and solar power remains stalled in Congress, following an objection by Sen. Joe Manchin, D-W.Va.

Even without legislation, Biden can pursue his climate agenda through rules and regulations. But those can be undone by subsequent presidents, as demonstrated by the mercury rule and other environmental actions taken under Trump.

The EPA has announced a series of regulatory actions under Regan, including a plan to impose stronger limits on tailpipe emissions from cars and trucks and tighten restrictions on emissions of methane, a leading contributor to global warming.

The Interior Department also has announced approval of large-scale solar projects in California and other states and backed major offshore wind projects along the East Coast.

Still, Biden's agenda remains at risk and could be jeopardized further by a Supreme Court case scheduled to be heard in late February. Justices will hear arguments in a case brought by West Virginia that could undercut EPA's ability to regulate greenhouse gas emissions from coal-fired power plants under the Clean Air Act.

The Trump administration gutted the mercury rule on power plants in 2020, saying the earlier rule amounted to regulatory overreach that imposed undue harm on the power sector. Andrew Wheeler, the former coal lobbyist who headed the EPA under Trump, said the 2020 action balanced the rule's cost to utilities with public safety.

In reversing that decision, the EPA said the Trump-era action was "based on a fundamentally flawed interpretation of the Clean Air Act that improperly ignored or undervalued vital health benefits from reducing hazardous air pollution from power plants."

Based on a thorough review of the benefits, the "reasonable costs of controls" and other factors, "EPA is proposing to reaffirm that it is appropriate and necessary to regulate emissions of hazardous air pollutants from coal- and oil-fired power plants," the agency said.

Environmental groups welcomed the change, which they had been urging for months.

"EPA has a clear authority and responsibility to protect Americans from mercury and other toxic pollution from power plants, and today's finding reflects that," said Michael Panfil, a lawyer for the Environmental Defense Fund.

The next step is to strengthen the Obama-era rule, Panfil and other environmentalists said.

"While the Mercury and Air Toxics Standards have been successful, there are still many coal plants that release significant amounts of mercury pollution and put American families at risk," he said.

The Obama-era rule led to what electric utilities say was an \$18 billion cleanup of mercury and other toxins from the smokestacks of coal-fired power plants.

Most coal-fired power plants have already made the technological upgrades required by the 2012 rule. A group representing investor-owned electric companies hailed EPA's action to restore a legal determination that the mercury rule was appropriate and necessary.

"Since 2010, our industry has reduced its mercury emissions by more than 91%," said Tom Kuhn, president of the Edison Electric Institute, an industry lobbying group.

"Restoring the 'appropriate and necessary' finding enables electric companies to remain focused on getting the energy we provide as clean as we can as fast as we can," while maintaining reliability and affordability, Kuhn said.

Coal-fired power plants are the largest single manmade source of mercury pollutants, which enter the food chain through fish and other items that people consume.

### **Bloomberg: Power Plant Mercury Limits Get Legal Underpinnings Restored**

<https://news.bloomberglaw.com/environment-and-energy/mercury-air-rules-get-restored-legal-boost-under-epa-proposal>

**BY JENNIFER HIJAZI**

The Biden administration on Monday unveiled plans to restore key language that justifies mercury and air toxics rules, establishing that emission limits for coal-fired plants are "appropriate and necessary."

That legal finding was tossed under the Trump administration in 2020, a hotly contested move that many argued weakened some of the most powerful clean air and water standards EPA has in its arsenal.

"The previous administration's attempt to undermine them was unconscionable and unlawful, and we thank EPA for today's proposal to correct it," the American Academy of Pediatrics, the American Lung Association, and other health groups said in a statement on the proposal.

The proposed rule from the Environmental Protection Agency would affirm cornerstone language of Mercury and Air Toxics Standards, or MATS.

"EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives," Administrator Michael Regan said in a statement.

#### 'Breathe a Little Easier'

The proposal doesn't suggest increasing the standards' stringency, but does leave the door open for future rulemaking. Part of the proposal calls for more information on improving costs and performance of emission control technology, the agency said.

"Fortunately, we can now breathe a little easier knowing that EPA is sticking with what most of us know to be true—clean air is integral to healthy communities and a thriving economy," Senate Environment and Public Works Committee Chairman Tom Carper (D-Del.), said in a statement.

Health groups applauded the move, and said they still want more stringent standards.

"President Biden's EPA must now strengthen the MATS rule," Patrick Drupp, Sierra Club Deputy Legislative Director for Climate and Clean Air, said in a statement. "No amount of toxic pollution is acceptable in the air we breathe, especially when there are feasible, cost effective means of protecting public health."

Since the rule's creation in 2012, power plant emissions of hazardous mercury pollution into the air and water have been reduced by 86%. The emissions can lead to issues including neurological defects and cardiovascular problems.

#### **CNN: EPA to bring back mercury pollution rules that were nixed under Trump administration**

<https://www.cnn.com/2022/01/31/politics/epa-mercury-pollution-coal-plants-climate/index.html>

By Ella Nilsen

(CNN) — The Environmental Protection Agency announced on Monday it intends to reaffirm its authority to regulate toxic mercury from power plant smokestacks, undoing a Trump-era rollback.

The EPA is proposing to bring back the 2012 Mercury and Air Toxics Standards rules that were first implemented during the Obama administration. The rules require power plants to reduce pollutants, including mercury and acid gases, which Biden administration officials say will improve public health.

Mercury is a neurotoxin with several health impacts, including its harmful effect on brain development in children.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael S. Regan said in a statement. "EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

The Trump administration reversed the rules in May 2020, saying they were not "appropriate and necessary" because they were too burdensome to industry.

The EPA said it is also examining whether to make the rules more stringent.

Monday's announcement is one of several recent EPA regulations targeting toxins emitted from smokestacks and coal ash ponds. On their face, the air and wastewater rules would not regulate greenhouse gas emissions, but they could have that effect.

The agency faces a significant legal challenge at the US Supreme Court later this month in a case that questions its authority to regulate greenhouse gas emissions.

"We don't have to overly rely on any one rule," Regan told the Wall Street Journal in a recent interview. "It's looking at the full suite of authorities to maximize our ability to protect communities and public health."

The mercury rules sharply reduced mercury emissions while they were in place, according to the EPA. Compared to 2010 levels, mercury emissions from power plants were down by 86% by 2017, five years after the rules were implemented, according to a news release. Acid gas emissions were also down by 96%, and non-mercury metal emissions were down by 81%.

Senate Environment and Public Works Chair Tom Carper applauded the proposed rules change.

"Every American — no matter their zip code — deserves to live in a community that is free of mercury and other harmful air pollution," Carper said in a statement.

The EPA will take public comment on the proposal for 60 days and plans hold a virtual public hearing on the rules.

### **E&E News: Biden admin moves to slash air toxics, boost clean energy**

<https://www.eenews.net/articles/biden-admin-moves-to-slash-air-toxics-boost-clean-energy/>

**By Sean Reilly**

For the fourth and perhaps final time, EPA today asserted its authority to regulate some of the most toxic air releases from power plants in hopes of ending a seesaw regulatory fight that has spanned decades and once reached the Supreme Court.

EPA's proposed rulemaking advances the Biden administration's climate goals and pledges to address environmental justice and efforts to boost cleaner energy.

But with the agency's ability to regulate power industry carbon emissions now at risk from another pending case before the high court, the [draft rule](#) released this afternoon could also presage a broader EPA campaign to further the Biden administration's climate goals by other means ([Climatewire](#), Jan. 24).

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement.

"EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

In the newly released draft, the agency reaffirmed the legally required finding that it is "appropriate and necessary" to limit emissions of mercury, arsenic and other hazardous pollutants from coal-fired power plants. If made final, the proposal would reverse a Trump administration decision to scrap that finding, which laid the foundation for seminal regulations issued a decade ago that have helped slash those emissions.

Because all major utilities have long since come into compliance with what are formally known as the Mercury and Air Toxics Standards, the proposal will have no immediate practical impact if made final. But it could shield the standards from a coal company lawsuit filed two years ago alleging that they should be revoked because their legal basis no longer exists. EPA is also seeking public feedback on the option of tightening the existing emissions limits based on advances in pollution control technology over the last decade.

In a flurry of news releases, environmental and public health groups — and even industry — swiftly applauded the proposal and urged further action.

“Now EPA must stay on the offensive in the fight for public health,” Earthjustice attorney Neil Gormley said. “We look forward to working with the agency as it moves ahead to strengthen MATS and other essential clean air rules.”

Also expressing gratitude was a top utility industry trade group that’s usually not a fan of EPA. Restoration of the appropriate and necessary finding “enables electric companies to remain focused on getting the energy we provide as clean as we can as fast as we can, while maintaining the reliability and affordability that our customers value,” said Tom Kuhn, president of the Edison Electric Institute.

Power companies had opposed the Trump administration’s 2020 decision to revoke the finding for fear that it could imperil their ability to recoup MATS compliance costs from ratepayers.

Under the 1990 Clean Air Act amendments, EPA had to formally make that determination before issuing the standards. After the Clinton administration initially made the finding in 2000, it was revoked by the George W. Bush administration and then reaffirmed under President Obama in 2012 and 2016.

Because mercury is a neurotoxin that can affect babies’ brain development, the Trump administration’s decision to roll back the finding was particularly hard-fought. In justifying its decision, the Trump EPA pointed to the original cost-benefit analysis, which found that almost all the quantifiable health gains would come from “co-benefits” stemming from cuts in soot-forming pollutants that were not among those directly targeted by the standards.

The contrast with the standards’ projected \$9.6 billion compliance cost later caught the attention of the Supreme Court, which in a 2015 opinion allowed the emission limits to go into effect but found that EPA should have considered compliance expenses in making the appropriate and necessary finding. The agency reaffirmed the finding the following year.

### **Law360: EPA Floats Stabilizing Mercury Emissions Rule**

<https://www.law360.com/articles/1460408/epa-floats-stabilizing-mercury-emissions-rule>

By Juan Carlos Rodriguez

The U.S. Environmental Protection Agency on Monday proposed reinstating an Obama-era legal finding — which had been struck down by the Trump administration — that underpinned mercury emissions standards for power plants.

EPA Administrator Michael Regan, pictured in December, said in a statement on Monday that the agency “is committed to aggressively reducing pollution from the power sector.” (AP Photo/Jacquelyn Martin, File)

In yet another important regulatory flip-flop, the EPA said health benefits stemming from 2012 mercury and air toxics standards rule outweighed compliance costs. The finding restores the Obama administration’s conclusion that it was “appropriate and necessary” to regulate mercury emissions for coal- and oil-fired power plants under the Clean Air Act. That finding was a prerequisite for the actual regulations.

“Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and

vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement Monday. "EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

The EPA under former President Donald Trump had said it was improper for the Obama administration to consider benefits from the regulation that weren't achieved by the targeted pollutants that were the subject of the rule. By leaving out the benefits of reducing particulate matter emissions, the Obama-era MATS rule cost more than it helped, officials said.

The regulations themselves have never been struck down — the Trump administration chose to revoke the "appropriate and necessary" finding but leave the rule in place. So not much will change in practice.

There were several lawsuits filed against the EPA in the wake of its decision.

Coal company Westmoreland Mining Holdings LLC used the opportunity to ask the D.C. Circuit to undo the Obama-era limits on coal-fired power plants' mercury emissions, arguing that since the legal justification for the standards had been removed, the regulations could not stand.

Blue state attorneys general and environmental advocacy groups sued the agency over the reversal itself.

And power generators including Calpine Corp. and Puget Sound Energy also filed petitions for review of the EPA's reversal at the D.C. Circuit.

All that litigation has been paused since the Biden administration took power in 2021.

The EPA's Monday announcement drew praise from several quarters.

Tom Kuhn, president of the Edison Electric Institute, an association that represents all U.S. investor-owned electric companies, noted the group's member companies have already had the MATS rule implemented for years.

"EEI's member companies, and the electric power industry collectively, have invested more than \$18 billion to install pollution control technologies to meet these standards," Kuhn said in a statement. "Since 2010, our industry has reduced its mercury emissions by more than 91 percent, and we have seen a significant change in our nation's energy mix, which is getting cleaner and cleaner every day."

Patrick Drupp, the Sierra Club's deputy legislative director for climate and clean air, urged the EPA to go even further.

"President Biden's EPA must now strengthen the MATS rule," Drupp said in a statement Monday. "No amount of toxic pollution is acceptable in the air we breathe, especially when there are feasible, cost effective means of protecting public health."

And John Walke, director of the clean air program at the Natural Resources Defense Council, said the mercury emissions standards do have important effects.

"These safeguards work — and there's proof, if you look at the decrease in mortality, asthma and other health outcomes since they first took effect in 2015," Walke said in a statement Monday. "With the Biden-Harris administration clearing away the Trump EPA's attempted sabotage of these standards, now EPA needs to strengthen the standards to better protect Americans and U.S. air quality."

### **Reuters: U.S. EPA moves to advance mercury and air toxics rule**

<https://www.reuters.com/world/us/us-epa-moves-advance-mercury-air-toxics-rule-2022-01-31/>

**By Valerie Volcovici**

WASHINGTON, Jan 31 (Reuters) - The U.S. Environmental Protection Agency on Monday revived an Obama administration-era legal finding that regulating hazardous air toxics and mercury from power plants is necessary, a key step before it can strengthen those air regulations.

The move to deem the Mercury and Air Toxics Standards (MATS) "appropriate and necessary" would pave the way for the EPA to update the power plant regulation. Power plants are the largest source of those toxic pollutants.

Former President Donald Trump's EPA had reversed that legal finding in 2020, citing flaws in the Obama EPA's cost-benefit analysis of the rule. That reversal effectively weakened the MATS rule because it opened the door to lawsuits by companies opposed to it.

"EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives," said EPA Administrator Michael Regan.

The new proposal would leave the current MATS unchanged but would begin the process to gather public health information and public input it needs to strengthen the regulation.

The Obama EPA had concluded in 2012 that controlling mercury, acid gases, and other harmful pollutants could reduce heart attacks and cancer risks and avoid neurodevelopmental delays in children justified the costs of compliance.

The calculations used at the time, however, accounted for how pollution-control equipment at coal plants would reduce emissions of particulate matter and other harmful substances that come out of smokestacks, in addition to mercury.

Trump's EPA said it believed it was inappropriate to have included the benefits of reducing emissions other than mercury.

"The previous administration ignored science as it attempted to turn back the clock on these protections," said Democratic Senator Tom Carper.

The MATS rule has helped drive sharp reductions in air pollutants, according to the EPA. The agency estimates that by 2017, mercury emissions from power plants were reduced by 86%; acid gas emissions were reduced by 96%, and non-mercury metal emissions were reduced by 81% percent compared with pre-MATS levels in 2010.

### **The Hill: Biden administration proposes restoration of power plant rules undermined by Trump**

<https://thehill.com/policy/energy-environment/592133-biden-administration-proposes-to-restore-legal-basis-for-power>

By [Rachel Frazin](#)

The Biden administration on Monday proposed restoring the legal underpinnings of power plant pollution regulations following a Trump administration rollback.

In 2020, the Trump administration [undercut a regulation](#) known as the Mercury and Air Toxics Standards (MATS) rule by changing its legal justification in a way that made it more vulnerable to lawsuits.

The MATS rule, in general, puts limits on how much of these toxic substances coal and oil power plants can release into the air. Mercury is a neurotoxin that is particularly harmful to children.

Neither the 2020 rule nor Monday's action made any changes to the Obama-era standards themselves.

Instead, the Biden administration on Monday proposed to affirm that it is "appropriate and necessary" to regulate the emissions of these pollutants from power plants, while the Trump administration had said the regulations were not appropriate and necessary.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator [Michael Regan](#) said in a statement.

"EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives," he said.

According to the [EPA's website](#), the standards are estimated to have prevented between 4,200 and 11,000 premature deaths annually.

At the time of the rollback, critics argued that the Trump administration was working to give polluters who wanted to sue in order to eliminate the rules an advantage in court. And, following the changes, a [coal company](#) challenged the MATS rule in court.

The Trump administration had found that the billions in costs that compliance would impose on power producers annually outweighs the \$4 million to \$6 million in benefits that the regulation would provide. The Obama administration had found that the benefits would be worth \$90 billion.

The vast discrepancy between the potential benefits came down to how they were calculated and specifically the Trump administration's exclusion of "co-benefits" — or indirect benefits gleaned from the rules' impact on pollutants that are not strictly "targeted" by the rule.



Meanwhile, Monday's proposal also indicated the Biden administration will take a second look at possibly implementing additional regulations.

It said that it would review the Trump administration's finding that with the current standards in place, there aren't remaining risks from the power plants' emissions of the substances in question. The outcome will be announced in a separate action.

### **WaPo: EPA affirms its right to limit mercury from power plants, as part of Biden's broader push to curb climate pollution**

<https://www.washingtonpost.com/climate-environment/2022/01/31/mercury-power-plants-epa-climate/>

By [Dino Grandoni](#)

Biden administration officials are kicking off a crackdown on power plant pollution, aiming to shift the nation's electricity supply to cleaner energy in the face of congressional resistance and a Supreme Court that could limit the federal government's ability to tighten public health standards.

On Monday, the Environmental Protection Agency affirmed its authority to curb mercury from smokestacks, reversing a [2020 Trump administration policy](#). The move signals a broader effort by the administration to cut greenhouse gases and other pollutants from U.S. power plants, which rank as the nation's [second-biggest contributor](#) to global warming.

President Biden has pledged [to make the U.S. electricity sector carbon-neutral by 2035](#), but his deputies may have to rely on their existing federal authority now that Sen. Joe Manchin III (D-W.Va.) has [blocked the president's plan](#) to provide utilities with incentives to transition faster to clean energy. And in late February, the Supreme Court will hear arguments in a case brought by West Virginia that may undercut EPA's ability to regulate greenhouse gas emissions from coal-fired power plants in the future.

But EPA can pressure the nation's dirtiest coal plants to shut down through other means, and the administration is beginning to exercise its leverage.

"Regulations to require power producers to bear the costs of their own pollution are decades overdue," said Thom Cmar, an attorney with the law firm AltmanNewman who represents environmental groups.

The agency determined Monday that it is "appropriate and necessary" to limit mercury and other toxic air pollutants from power plants. Exposure to the heavy metal — which wafts into the air from coal plants and settles in lakes and streams and enters the food chain after being absorbed by fish — can harm brain development in babies and cause heart disease in adults.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement.

The proposed legal finding does not change mercury control requirements adopted under Barack Obama, but it abolishes a Trump-era determination that said [these limits were unnecessary](#) and that threatened to [narrow the health benefits](#) EPA would consider when crafting clean air rules. And it lays the groundwork for tightening mercury controls in the future, which Biden officials may pursue.

Environmental Defense Fund general counsel Vickie Patton said “it’s urgent” to update those standards, arguing that many coal plants still emit far too much mercury.

“Those standards, they’re out of date,” she said. “They need to be modernized to protect people from the most toxic contaminants that are discharged from coal plants.”

With expensive “scrubber” technology already installed across power plants nationwide, many utilities support restoring the underlying legal basis for limits on air toxins. Edison Electric Institute President Tom Kuhn, whose group represents investor-owned electricity providers, said his members, “and the electric power industry collectively, have invested more than \$18 billion to install pollution control technologies to meet these standards.”

But to meet the president’s ambitious goal to decarbonize the power sector, his team must do much more.

Later this year, the EPA plans to outline new standards for greenhouse gas emissions from existing fossil fuel plants, which would replace the Obama-era Clean Power Plan. The Supreme Court blocked that regulation from taking effect in 2016, and the U.S. Court of Appeals for the District of Columbia Circuit struck down Trump’s replacement rule a day before Biden took office.

But the agency will strain to craft a rule that can withstand scrutiny from an increasingly conservative Supreme Court. Now with three Trump-appointed justices, the high court will hear a case in February brought by Republican-led states and the coal industry challenging whether the EPA has authority to limit power plants’ greenhouse gases under the Clean Air Act.

The case is unusual since the federal government does not have a policy limiting power plants’ carbon dioxide emissions on the books.

“Normally the court would wait until they have a new rule to review,” said Carrie Jenks, executive director of Harvard Law School’s Environmental and Energy Law Program, adding that EPA officials “obviously have to see what the Supreme Court says. And the Supreme Court could say things that would change their timing.”

But West Virginia Attorney General Patrick Morrisey, who leads the lawsuit against the EPA, said Congress has never given federal officials the authority to transform the way utilities produce power in the first place.

“This is a really important case for the future of our republic because it raises a number of important questions,” he said in a recent interview. “Who do we want to make the nation’s most important, life-changing decisions? Do we want elected representatives who are accountable to the people? Or do we want unelected bureaucrats?”

Beyond capping greenhouse gas emissions, the Biden administration is taking other steps that, when combined, will make it more costly to burn coal and could hasten the closure of polluting power plants.

“All these hidden environmental and public health costs need to be brought back into the equation, so coal and gas aren’t getting a free ride,” said Jeremy Symons, an environmental consultant who co-wrote a 300-page blueprint in 2020 laying out how the EPA can avoid some of the pitfalls that slowed down the Obama administration.

This fall, for instance, the EPA plans to propose a rule compelling many coal-fired plants to update filtration systems that treat wastewater laced with arsenic and other contaminants before reaching drinking water. The

stricter requirements would undo one of the Trump administration's regulatory rollbacks. At least 20 power plants have told state regulators they may need to close or switch to natural gas if those wastewater requirements take effect, according to the Sierra Club.

The agency is also ramping up enforcement of another power plant rule: toxic coal ash disposal. About 500 unlined surface impoundments of waste from coal combustion threaten to leach contaminants such as mercury, cadmium and arsenic into nearby water. On Jan. 11, the EPA proposed denying requests from three power plants — in Indiana, Iowa and Ohio — to extend the use of their coal ash sites.

“We think it’s just a matter of time” until there is a contamination problem, said Richard Hill, an activist who lives near the Clifty Creek Power Station on the Ohio River in Indiana. “Eventually, there will be issues.”

EPA spokeswoman Lindsay Hamilton said the Biden administration is working to “identify the full range of our regulatory tools and consider how best to apply them to address the multipollutant impacts of the power sector.”

Over the past decade, the economics of running coal plants have become harder in the face of competition from cheaper gas-fired energy as well as wind turbines and solar farms.

Yet in pockets across the country, coal persists. One of the country’s top mercury emitters is North Dakota’s Coal Creek Station, according to an analysis by the Environmental Defense Fund. The plant was on the verge of shutting down when local officials rallied to save it by blocking competing wind and solar projects.

Overall, the pace of coal retirements slowed during Biden’s first year in office, according to the U.S. Energy Information Administration, though that rate is expected to rise this year.

## **WSJ: EPA Moves to Restore Obama-Era Rules on Power Plants**

<https://www.wsj.com/articles/epa-moves-to-restore-obama-era-rules-on-power-plants-11643664569>

**By Katy Stech Ferek**

The Environmental Protection Agency on Monday moved to restore a federal determination that allowed it to regulate mercury, lead and other toxic metals from coal-fired and oil-fired power plants.

Under the Obama administration, the EPA said it had the authority to regulate emissions of mercury and other toxic metals from power plant emissions under the Clean Air Act as long as EPA officials determined it was “appropriate and necessary.”

In 2020, the Trump administration withdrew that determination, saying that regulators made errors when calculating the costs and benefits of the rules. That revocation led a coal producer to ask the U.S. Court of Appeals for District of Columbia Circuit to eliminate the regulations that Obama-era officials had relied on to regulate air pollutants.

In reinstating the policy, the EPA said that controlling toxic emissions reduces cancer risks and neurodevelopmental delays in children.

Scoops, analysis and insights driving Washington from the WSJ's D.C. bureau.

“Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution,” said EPA Administrator Michael Regan.

The Wall Street Journal reported last week that the EPA was moving to toughen rules on power plants as part of President Biden's efforts to curb greenhouse-gas emissions blamed for climate change.

Monday's proposal, if enacted, would mark a setback for coal miner Westmoreland Mining Holdings LLC, which had asked the court to get rid of regulations that require operators of the country's coal- and oil-burning power plants to cut emissions, including by installing filtration equipment that strained the pollutants from the air. A judge has yet to rule on that request.

Public-health and environmental groups said the existing regulations, which set an April 2015 compliance deadline for operators, have been effective at cutting air pollutants emissions. Mercury emissions from power plants dropped by 86% in 2017 compared with 2010 levels, according to an EPA estimate.

Before the regulations, power plants ranked as the largest domestic source of mercury, the agency said.

Mercury, arsenic and other toxic metals are released into the air from power plant smokestacks and make their way into U.S. waterways and to the food chain, leading to fish consumption advisories. They are linked to brain developmental problems in infants and cancer.

Federal law requires regulators who make rules under the Clean Air Act to first determine that the protections are appropriate and necessary. They first made that determination related to coal-fired and oil-fired power plants in 2000, then reaffirmed it as the 2012 regulations were released.

A year ago, Mr. Biden ordered EPA officials to review the Trump administration's revocation related to the mercury emissions rules, known as the Mercury and Air Toxics Standards. EPA officials will take comments for 60 days on Monday's proposal.

## Message

**From:** Nunez, Alejandra [Nunez.Alejandra@epa.gov]  
**Sent:** 9/16/2021 1:04:05 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Millett, John [Millett.John@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]  
**Subject:** Re: FOR YOUR REVIEW: Background for NYT Editorial Board Meeting - DUE COB WEDNESDAY

I added two comments to that document - I think we should note to the Administrator that he might be asked questions about MATS and the 111(b) GHG NSPS.

Sent from my iPhone

On Sep 16, 2021, at 2:59 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

Thanks for taking this on, Tomas. Added a note on the power sector document. Let's discuss more at RT or Comms. Thanks.

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Sent:** Wednesday, September 15, 2021 11:59 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** RE: FOR YOUR REVIEW: Background for NYT Editorial Board Meeting - DUE COB WEDNESDAY

Thanks Joe. I only had time to make a quick pass but wanted to share some comments/edits on six of them (I didn't have any comments on the others). I'm afraid the Power Sector document needs the most work – it just doesn't hang together very well and doesn't tell a compelling story, and it has some key gaps which I've tried to identify in comments. Hope this is helpful. Best,

Tomás

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Wednesday, September 15, 2021 9:44 PM  
**To:** Campbell, Ann <Campbell.Ann@epa.gov>; Millett, John <Millett.John@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** RE: FOR YOUR REVIEW: Background for NYT Editorial Board Meeting - DUE COB WEDNESDAY

I still have a lot of material to absorb to prepare for Thursday, so I'm not sure if and when I will have line edits on every single one of these, but at a first pass they **\*all\*** have to be in the **\*same\*** visual format and run as close to 1 page as possible. The Oil and Gas pager is a good template for the visuals – and for the short, direct, just-the-facts style of expression they all need to have. No extraneous rhetoric (e.g., the first power sector bullet) and no orotund sentence structure. No "EPA is conducting research." Instead, "EPA is researching" or "EPA's research currently focuses on X".

# Ex. 5 Deliberative Process (DP)

Meanwhile, perhaps, Tomas, you will have the time to do some line edits on these drafts – or maybe even more efficiently to just flag fixes and key points or corrections.

Thanks.

Joseph Goffman  
Acting Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Wednesday, September 15, 2021 5:50 PM  
**To:** Millett, John <Millett.John@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** FOR YOUR REVIEW: Background for NYT Editorial Board Meeting - DUE COB WEDNESDAY

# Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions or need edits made.

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**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Tuesday, September 14, 2021 11:54 AM  
**To:** Dunham, Sarah <Dunham.Sarah@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>; Edwards, Jonathan <Edwards.Jonathan@epa.gov>; Cherepy, Andrea <Cherepy.Andrea@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>; Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Shaw, Betsy <Shaw.Betsy@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>  
**Subject:** ACTION: Background for NYT Editorial Board Meeting - DUE COB WEDNESDAY  
**Importance:** High

All – we have been asked to help prepare the Administrator for a meeting he has early next week with the Editorial Board of the NYT. The conversation will be focused mainly on climate.

# Ex. 5 Deliberative Process (DP)

These need to be to the AO on Thursday, so please provide drafts of the one-pagers by COB Wednesday so Joe and the team will have the opportunity to review and provide any feedback.

Please let me know if you have any questions. Thank you!

# Ex. 5 Deliberative Process (DP)

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

<Power Sector tc jg.docx>

Message

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**From:** Utech, Dan [Utech.Dan@epa.gov]  
**Sent:** 9/21/2021 7:57:39 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** RE: a few questions

Thanks

**Ex. 5 Deliberative Process (DP)**

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Tuesday, September 21, 2021 3:45 PM  
**To:** Utech, Dan <Utech.Dan@epa.gov>  
**Subject:** Re: a few questions

1. No. 2. I should be free to talk around 5 or after our 5:30 call with CPO. 3. No.

Sent from my iPhone

On Sep 21, 2021, at 1:58 PM, Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)> wrote:

Hi Joe – understand there is a lot going on and happy to reschedule but a few questions that can't wait:

**Ex. 5 Deliberative Process (DP)**

Thanks.



Message

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**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 9/22/2021 4:27:45 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** AO Staff Office Weekly Report for 9/22/21  
**Attachments:** AO Staff Office Weekly Report 9.22.21 FINAL.pdf; AO Staff Office Weekly Report 9.22.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the AO Staff Office Weekly Report (in both PDF and Word) for the week ending September 22, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

Message

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**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 9/22/2021 10:35:45 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 9/22/21  
**Attachments:** Administrator Weekly Report 9.22.21 FINAL.pdf; Administrator Weekly Report 9.22.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending September 22, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

Message

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**From:** Millett, John [Millett.John@epa.gov]  
**Sent:** 9/24/2021 2:20:23 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; McCabe, Janet [McCabe.Janet@epa.gov]  
**Subject:** RE: rules

Will do – yes. Will loop Janet and Andrea on both sets of materials later this morning.

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Friday, September 24, 2021 10:19 AM  
**To:** McCabe, Janet <McCabe.Janet@epa.gov>  
**Cc:** Millett, John <Millett.John@epa.gov>  
**Subject:** RE: rules

Plus John. I just did some edits on the MATS pieces an hour or so ago. Haven't looked at the RFS materials since last Sunday, but I think they're in good shape. Thanks.

Joseph Goffman  
Acting Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** McCabe, Janet <McCabe.Janet@epa.gov>  
**Sent:** Friday, September 24, 2021 10:12 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** rules

Joe—when you have tick point fact sheets on the two rules for next week, even in draft, could someone shoot them my way please? thanks

Janet G. McCabe  
Deputy Administrator  
U.S. Environmental Protection Agency  
WJC-N Room 3406, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-4711  
Email: [mccabe.janet@epa.gov](mailto:mccabe.janet@epa.gov)

Message

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**From:** Millett, John [Millett.John@epa.gov]  
**Sent:** 9/24/2021 3:27:14 PM  
**To:** McCabe, Janet [McCabe.Janet@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Millett, John [Millett.John@epa.gov]  
**Subject:** RFS and MATS rollout materials  
**Attachments:** Fact Sheet\_MATS AN Proposed Rule DRAFT 9.20 jg\_clean.docx; DRAFT MATS PR 9.20 jg jg\_clean.docx; RFS Proposed RVO - Roll Out - 9- 24-2021 DRAFT.docx; RFS Proposed Volumes for 2020 to 2022\_Press release\_DRAFT.docx

Hi All – attached are the latest clean versions of the RFS (Wed. announcement) and MATS (Thurs. announcement) materials. This version of the RFS press release is going into the administrator's book today for his weekend reading. OTAQ has also provided a good set of internal q/a in the attached rollout, and the list of heads up calls is in good shape.

We have rollout discussions with OPA, OCIR and OPEEE on the schedule today on both of these subjects, and much of each 30 min segment will cover who we reach out to and how prior to announcement and just after. Everyone on each of those calls will get these same materials today.

I think that covers it for now . . .

Thanks and please let me know if you have any questions or advice!

John

~~~~~  
John Millett  
Director, OAR Communications  
Desk: 202-564-2903  
Cell: 202-510-1822

## Message

**From:** Fawcett, Allen [Fawcett.Allen@epa.gov]  
**Sent:** 9/27/2021 8:48:56 PM  
**To:** Cassady, Alison [Cassady.Alison@epa.gov]  
**CC:** Utech, Dan [Utech.Dan@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Gunning, Paul [Gunning.Paul@epa.gov]  
**Subject:** RE: For Review: National Climate Strategy Draft Chapter Outlines  
**Attachments:** NCS Ch 4 Transportation OUTLINE 09212021 Interagency - OAR Comments.docx; NCS Ch 9 Justice OUTLINE 09212021 Interagency - OAR Comments.docx; NCS Ch 2b Benefits for All Americans OUTLINE 09212021 Interagency - OAR Comments.docx; NCS Ch 10 Resilience OUTLINE 09212021 Interagency - OAR Comments.docx; NCS Ch 2a Climate Science OUTLINE 09222021 Interagency - OAR Comments.docx; NCS Ch 7 Industry OUTLINE 09212021 Interagency - OAR Comments.docx; NCS Ch 6 Buildings OUTLINE 09212021 Interagency - OAR Comments.docx; NCS Ch 5 Electricity OUTLINE 09212021 Interagency - OAR Comments.docx

Hello Alison,

Please find attached the OAR comments on NCS chapter outlines ready for transmittal to CPO. Joe has reviewed these comments, and we have tried to incorporate the input from Janet. The only caveat is that we did not receive the Lands & Oceans chapter outline, so we have not provided comments on that chapter yet. Greg Carlock indicated that he would send that chapter and allow us extra time to review.

Best,  
 Allen

Allen A. Fawcett, Ph.D.  
 Chief, Climate Economics Branch  
 U.S. Environmental Protection Agency  
 (202) 343-9436

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Saturday, September 25, 2021 11:57 AM  
**To:** Grundler, Christopher <grundler.christopher@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Fawcett, Allen <Fawcett.Allen@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>  
**Cc:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>  
**Subject:** FW: For Review: National Climate Strategy Draft Chapter Outlines

Following up on the original assignment (due EOD Monday), which came in early Wednesday afternoon (bottom of chain), please see the exchange below FYA. I responded to Janet's question about 111(d) and refineries with this:

## Ex. 5 Deliberative Process (DP)

Thanks.

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>

**Sent:** Saturday, September 25, 2021 11:47 AM

**To:** McCabe, Janet <[McCabe.Janet@epa.gov](mailto:McCabe.Janet@epa.gov)>

**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>

**Subject:** Re: For Review: National Climate Strategy Draft Chapter Outlines

## Ex. 5 Deliberative Process (DP)

Alison L. Cassady  
(202) 941-6036

On Sep 25, 2021, at 11:35 AM, Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

Alison L. Cassady  
(202) 941-6036

On Sep 25, 2021, at 11:21 AM, McCabe, Janet <[McCabe.Janet@epa.gov](mailto:McCabe.Janet@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**From:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Sent:** Wednesday, September 22, 2021 1:07 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; McCabe, Janet <[McCabe.Janet@epa.gov](mailto:McCabe.Janet@epa.gov)>  
**Subject:** For Review: National Climate Strategy Draft Chapter Outlines  
**Importance:** High

Team OAR,

Per my previous email, here are the NCS chapter outlines for your review by **Monday, September 27, by EOD**. I plan to ask Vicki/OP to review chapters 2, 9, & 10 as well.

See the highlighted language below for additional details.

# Ex. 5 Deliberative Process (DP)

Let me know if you have questions or if there is a better way to facilitate this feedback.

Alison

Alison L. Cassady  
Deputy Chief of Staff for Policy  
U.S. Environmental Protection Agency  
Cell: (202) 941-6036

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO **Ex. 6 Personal Privacy (PP)**  
**Sent:** Wednesday, September 22, 2021 9:24 AM  
**To:** Cassady, Alison <Cassady.Alison@epa.gov>  
**Cc:** Ali Zaidi **Ex. 6 Personal Privacy (PP)**; Carlock, Gregory T. EOP/WHO **Ex. 6 Personal Privacy (PP)**  
**Subject:** RE: National Climate Strategy next steps

Hi Alison,

Thank you again for EPA's submission to the National Climate Strategy process and for the phone call with your team. Is there any follow-up on that front at this point? I know our team will want to continue that discussion so we can land the right tone and language. Let us know when you're ready.

Meanwhile, here are some next steps:

## Ex. 5 Deliberative Process (DP)

Many thanks for your work and contributions to this whole-of-government climate strategy!

Please reach out any time with questions or thoughts. **Ex. 6 Personal Privacy (PP)**

sonia

**From:** Sonia Aggarwal R. EOP/WHO  
**Sent:** Friday, September 3, 2021 12:55 PM  
**To:** 'Laura\_daniel-davis@ios.doi.gov' <Laura\_daniel-davis@ios.doi.gov>; 'Robert Bonnie, USDA' <Robert.Bonnie@usda.gov>; 'kevin.bush@hud.gov' <kevin.bush@hud.gov>; 'laura.schiller@dot.gov' <laura.schiller@dot.gov>; 'tarak.shah@hq.doe.gov' <tarak.shah@hq.doe.gov>; 'Alison Cassady, EPA' <Cassady.Alison@epa.gov>; 'Porfilio, Jaclyn (Federal)' <JPorfilio@doc.gov>; 'Karen Hyun - NOAA Federal' <karen.hyun@noaa.gov>; Feldman, Stefanie G. EOP/WHO **Ex. 6 Personal Privacy (PP)**; English, Leandra EOP/WHO **Ex. 6 Personal Privacy (PP)**; Nakagawa, Melanie Y. EOP/NSC **Ex. 6 Personal Privacy (PP)**; Vahlsing, Candace M. EOP/OMB **Ex. 6 Personal Privacy (PP)**; Schory, Daniel K. EOP/OMB **Ex. 6 Personal Privacy (PP)**; Lee-Ashley, Matt G. EOP/CEQ <**Ex. 6 Personal Privacy (PP)**>; 'Shulman, Sophie (OST)' <Sophie.Shulman@dot.gov>; 'Utech.Dan@epa.gov' <Utech.Dan@epa.gov>; 'Lal, Bhavya (HQ-IA000)' <bhavya.lal@nasa.gov>; Ramamurti, Bharat R. EOP/WHO <**Ex. 6 Personal Privacy (PP)**>; Mayock, Andrew EOP/CEQ **Ex. 6 Personal Privacy (PP)**; Koizumi, Kei EOP/OSTP **Ex. 6 Personal Privacy (PP)**; Martinez, Cecilia C. EOP/CEQ **Ex. 6 Personal Privacy (PP)**; 'Randolph.alles@hq.dhs.gov' <Randolph.alles@hq.dhs.gov>; 'Bryan,



Joseph SES SD' <Joseph.Bryan@sd.mil>; 'Rachel.Heron2@usdoj.gov' <Rachel.Heron2@usdoj.gov>; 'Nayak.Raj@dol.gov' <Nayak.Raj@dol.gov>; 'Donna.Harris-Aikens@ed.gov' <Donna.Harris-Aikens@ed.gov>; 'sonal.larsen@gsa.gov' <sonal.larsen@gsa.gov>; 'Arsenio.Mataka@hhs.gov' <Arsenio.Mataka@hhs.gov>; 'Rachel.Levine@hhs.gov' <Rachel.Levine@hhs.gov>; 'Rick Duke, SPEC' <DukeRD@state.gov>; 'Catherine.Wolfram@treasury.gov' <Catherine.Wolfram@treasury.gov>; 'Yohannes, Meron (Federal)' <MYohannes@doc.gov>; 'lupe.morales@hq.dhs.gov' <lupe.morales@hq.dhs.gov>; 'Murren, Jack CIV SD' <Jack.murren@sd.mil>; 'Sargrad, Scott' <Scott.Sargrad@ed.gov>; Hickey, Mike J. EOP/OMB <Ex. 6 Personal Privacy (PP)>; 'Zepeda, Elizabeth G' <Elizabeth.G.Zepeda@hud.gov>; Jordan, Sara L. EOP/CEQ <Ex. 6 Personal Privacy (PP)>; 'Zelman, Allison L - OSEC' <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ <Ex. 6 Personal Privacy (PP)>; 'Kidd, Richard G IV SES OSD OUSD A-S (USA)' <richard.g.kidd6.civ@mail.mil>; 'John.Morton@treasury.gov' <John.Morton@treasury.gov>; 'Fisher, Megan (HHS/OASH)' <Megan.Fisher@hhs.gov>; Cox, Alexander N. EOP/WHO <Ex. 6 Personal Privacy (PP)>; 'Aguilera, Allie' <Allie.Aguilera@ed.gov>; Gallegos, Justina W. EOP/WHO <Ex. 6 Personal Privacy (PP)>; McLaurin, Juschelle D. EOP/CEQ <Ex. 6 Personal Privacy (PP)>; 'TOZIER, KATHLEEN' <kathleen.tozier@hq.dhs.gov>; 'Tuckett, Gayle' <Gayle.Tuckett@fda.hhs.gov>; 'SUNSTEIN, CASS' <cass.sunstein@hq.dhs.gov>

**Cc:** Zaidi, Ali A. EOP/WHO <Ex. 6 Personal Privacy (PP)>; Carlock, Gregory T. EOP/WHO <Ex. 6 Personal Privacy (PP)>; Sanchez, Roque T. EOP/WHO <Ex. 6 Personal Privacy (PP)>; Thomas, Maggie M. EOP/WHO <Ex. 6 Personal Privacy (PP)>; Menzelos, Arianna C. EOP/WHO <Ex. 6 Personal Privacy (PP)>

**Subject:** National Climate Strategy next steps

Dear Colleagues,

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Many thanks.

sonia aggarwal

Ex. 6 Personal Privacy (PP)

## Message

**From:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Sent:** 9/24/2021 10:18:25 PM  
**To:** Cassady, Alison [Cassady.Alison@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]  
**CC:** Utech, Dan [Utech.Dan@epa.gov]; McCabe, Janet [McCabe.Janet@epa.gov]  
**Subject:** RE: For review: National Communication and Biennial Report on Climate  
**Attachments:** NC7 BR3-4 Compiled Draft 9-19 For Interagency Review\_OAR comments 9 24.docx

Hi Alison, with apologies for somewhat overshooting the 5pm deadline, please find OAR's comments on the NC/BR on Climate attached. Please let us know if you need anything else. Best,

Tomás

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**From:** Cassady, Alison <Cassady.Alison@epa.gov>  
**Sent:** Friday, September 24, 2021 9:59 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Utech, Dan <Utech.Dan@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>  
**Subject:** RE: For review: National Communication and Biennial Report on Climate

Hi all,

I wanted to check in on this one to see if your team will be able to make the 5pm deadline today for review of this particular report. (Don't blame me, I am just the messenger/nag!)

If you need more time, let me know and I can throw myself at the mercy of Sonia.

AC

Alison L. Cassady  
 Deputy Chief of Staff for Policy  
 U.S. Environmental Protection Agency  
 Cell: (202) 941-6036

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**From:** Cassady, Alison  
**Sent:** Tuesday, September 21, 2021 12:02 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Utech, Dan <Utech.Dan@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>  
**Subject:** FW: For review: National Communication and Biennial Report on Climate

Hi,

Can you please share this with the appropriate folks in OAR to provide comments by the end of the week (5pm on Friday)? Sorry that I didn't share this yesterday when I received it.

Alison

Alison L. Cassidy  
Deputy Chief of Staff for Policy  
U.S. Environmental Protection Agency  
Cell: (202) 941-6036

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO <Sonia.Aggarwal@epa.gov> [Ex. 6 Personal Privacy (PP)]

**Sent:** Monday, September 20, 2021 12:36 PM

**To:** Laura <daniel-davis@ios.doi.gov>; Robert Bonnie, USDA <Robert.Bonnie@usda.gov>; kevin.bush@hud.gov; laura.schiller@dot.gov; tarak.shah@hq.doe.gov; Cassidy, Alison <Cassidy.Alison@epa.gov>; Porfilio, Jaclyn (Federal <JPorfilio@doc.gov>; Karen Hyun - NOAA Federal <karen.hyun@noaa.gov>; Feldman, Stefanie G. EOP/WHO <Stefanie.G.Feldman@epa.gov> [Ex. 6 Personal Privacy (PP)]; English, Leandra EOP/WHO <Leandra.English@epa.gov> [Ex. 6 Personal Privacy (PP)]; Nakagawa, Melanie Y. EOP/NSC <Melanie.Y.Nakagawa@epa.gov> [Ex. 6 Personal Privacy (PP)]; Vahlsing, Candace M. EOP/OMB <Candace.Vahlsing@epa.gov> [Ex. 6 Personal Privacy (PP)]; chory, Daniel K. EOP/OMB <Daniel.K.Chory@epa.gov> [Ex. 6 Personal Privacy (PP)]; Lee-Ashley, Matt G. EOP/CEQ <Matthew.G.Lee-Ashley@epa.gov> [Ex. 6 Personal Privacy (PP)]; Shulman, Sophie (OST <Sophie.Shulman@dot.gov>; Utech, Dan <Utech.Dan@epa.gov>; Lal, Bhavya (HQ-IA000 <bhavya.lal@nasa.gov>; Ramamurti, Bharat R. EOP/WHO <Bharat.Ramamurti@epa.gov> [Ex. 6 Personal Privacy (PP)]; andrew.mayock@epa.gov [Ex. 6 Personal Privacy (PP)]; Koizumi, Kei EOP/OSTP <Kei.Koizumi@epa.gov> [Ex. 6 Personal Privacy (PP)]; Ramoncita.C.Martinez <Ramoncita.C.Martinez@epa.gov> [Ex. 6 Personal Privacy (PP)]; Randolph.alles@hq.dhs.gov; Bryan, Joseph SES SD <Joseph.Bryan@sd.mil>; Rachel.Heron2@usdoj.gov; Nayak.Raj@dol.gov; Donna.Harris-Aikens@ed.gov; sonal.larsen@gsa.gov; Arsenio.Mataka@hhs.gov; Rachel.Levine@hhs.gov; Rick Duke, SPEC <DukeRD@state.gov>; Catherine.Wolfram@treasury.gov; Yohannes, Meron (Federal <MYohannes@doc.gov>; lupe.morales@hq.dhs.gov; Murren, Jack CIV SD <Jack.murren@sd.mil>; Sargrad, Scott <Scott.Sargrad@ed.gov>; Hickey, Mike J. EOP/OMB <Mike.J.Hickey@epa.gov> [Ex. 6 Personal Privacy (PP)]; Zepeda, Elizabeth G <Elizabeth.G.Zepeda@hud.gov>; Sara Jordan <Sara.L.Jordan@epa.gov> [Ex. 6 Personal Privacy (PP)]; Zelman, Allison L - OSEC <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ <Eva.B.Grant@epa.gov> [Ex. 6 Personal Privacy (PP)]; Kidd, Richard G IV SES OSD OUSD A-S (USA <richard.g.kidd6.civ@mail.mil>; John.Morton@treasury.gov; Fisher, Megan (HHS/OASH <Megan.Fisher@hhs.gov>; Cox, Alexander N. EOP/WHO <Alexander.N.Cox@epa.gov> [Ex. 6 Personal Privacy (PP)]; Aguilera, Allie <Allie.Aguilera@ed.gov>; Gallegos, Justina W. EOP/WHO <Justina.W.Gallegos@epa.gov> [Ex. 6 Personal Privacy (PP)]; McLaurin, Juschelle D. EOP/CEQ <jdmclaurin@epa.gov> [Ex. 6 Personal Privacy (PP)]; TOZIER, KATHLEEN <kathleen.tozier@hq.dhs.gov>; Tuckett, Gayle <Gayle.Tuckett@fda.hhs.gov>; SUNSTEIN, CASS <cass.sunstein@hq.dhs.gov>; Ali Zaidi <Ali.A.Zaidi@epa.gov> [Ex. 6 Personal Privacy (PP)]; Thomas, Maggie M. EOP/WHO <Maggie.M.Thomas@epa.gov> [Ex. 6 Personal Privacy (PP)];  
**Cc:** Desai, Mausami <Desai.Mausami@epa.gov>; Fawcett, Allen <Fawcett.Allen@epa.gov>; Alsalam, Jameel <Alsalam.Jameel@epa.gov>; Michael Kuperberg <Michael.Kuperberg@epa.gov> [Ex. 6 Personal Privacy (PP)]; frank.niepold@noaa.gov; Caruso, Randy J <CarusoRJ@state.gov>; Adams, Kevin M <AdamsKM2@state.gov>; Emily Seen <SeenEJ@state.gov>; Sierra Woodruff <WoodruffSC@state.gov>; Christina Chan <ChanC2@state.gov>; Dragisic, Christine D <DragisicCD@state.gov>; MacHardy, Sonia Aggarwal R. EOP/WHO <Sonia.Aggarwal@epa.gov> [Ex. 6 Personal Privacy (PP)]; Juke, Richard D <DukeRD@state.gov>; Carlock, Gregory T. EOP/WHO <Gregory.T.Carlock@epa.gov> [Ex. 6 Personal Privacy (PP)]

**Subject:** For review: National Communication and Biennial Report on Climate

Colleagues,

Please find attached a rough draft of the 7th National Communication and 3rd and 4th Biennial Reports to the UNFCCC. We are circulating this draft for interagency technical review, and kindly request your feedback by **5pm on Friday September 24**. (Input on formatting is not required at this point.) Comments may be sent to the people on the cc line to this message. We will then incorporate these edits and circulate a revised version for Principals' comment. Our aim is to submit this report to the UNFCCC for COP26, which begins October 31.

As you may know, National Communications and Biennial Reports are required reports under the UNFCCC. These reports were not submitted under the previous administration, and are long overdue. Given the importance the United States places on transparency under the UNFCCC and the Paris Agreement, coming back up to date on our reporting is important. The combined National Communication and Biennial Reports focus on progress through 2020, before the Biden-Harris administration took office, and as such will complement the National Climate Strategy and Long-Term Strategy currently also under preparation (and

about which we will also continue to communicate with this group). Our next National Communication and Biennial Report, due in December 2022, will provide an opportunity to report on the ambition of the first two years of the Biden Administration.

We are very grateful for the input of your experts in providing a critical review of this draft, which includes chapters drafted by experts throughout the government. The others of us on this “from” line especially tip our hats to Chris Dragisic for her leadership in pulling this together. (And should your agency have additional graphic or editorial capacity, we would certainly welcome this support as well.)

Please let us know if you have any questions.

Best,  
sonia aggarwal, Rick Duke, Chris Dragisic, Greg Carlock

## Message

**From:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Sent:** 9/24/2021 10:00:51 PM  
**To:** Hockstad, Leif [Hockstad.Leif@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Shoaff, John [Shoaff.John@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** RE: For review: National Communication and Biennial Report on Climate  
**Attachments:** NC7 BR3-4 Compiled Draft 9-19 For Interagency Review\_OAR comments 9 24.docx

Thanks Leif. Have added some suggested edits to the NC/BR to capture the recent HFC rule and the current methane rulemaking. Joe, if you're good with this, I'm happy to share with Alison.

---

**From:** Hockstad, Leif <Hockstad.Leif@epa.gov>  
**Sent:** Friday, September 24, 2021 12:55 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Shoaff, John <Shoaff.John@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** RE: For review: National Communication and Biennial Report on Climate

Tomás –

I received feedback from OAP on the National Communication and Biennial Report on Climate, primarily on the sections they helped draft with the State Dept. The other offices did not have comments, which is not surprising given OAP's direct involvement in these reports.

I think we can pass this along to Alison so that she can respond to the review request. If needed, you can highlight that the OAR comments and edits are provided in track changes are from Jameel Alsalam in OAR/OAP/CCD. Please let me know if you have any questions.

Thanks,  
 Leif

---

**From:** Shoaff, John  
**Sent:** Friday, September 24, 2021 10:22 AM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** RE: For review: National Communication and Biennial Report on Climate

Thanks Tomas, will check and keep you posted.

**JOHN SHOAFF** (HE/HIM/HIS) | DIRECTOR  
 OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)  
 OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C  
 1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA  
[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov) | 1-202-564-0531 DIRECT | 1-202-257-1755 MOBILE

---

**From:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Sent:** Friday, September 24, 2021 10:21 AM  
**To:** Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>

**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>

**Subject:** RE: For review: National Communication and Biennial Report on Climate

Hi John, we just got a reminder from Alison about the NC/BR below – can you let us know whether the offices are on track to provide comments by today's deadline?

---

**From:** Nunez, Alejandra <Nunez.Alejandra@epa.gov>

**Sent:** Tuesday, September 21, 2021 6:33 PM

**To:** Shoaff, John <Shoaff.John@epa.gov>

**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>

**Subject:** FW: For review: National Communication and Biennial Report on Climate

John, please see Alison's request for feedback below. We'd appreciate if you could send it to the relevant OAR offices for feedback.

Thank you so much!

---

**From:** Cassady, Alison <Cassady.Alison@epa.gov>

**Sent:** Tuesday, September 21, 2021 12:02 PM

**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>

**Cc:** Utech, Dan <Utech.Dan@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>

**Subject:** FW: For review: National Communication and Biennial Report on Climate

Hi,

Can you please share this with the appropriate folks in OAR to provide comments by the end of the week (5pm on Friday)? Sorry that I didn't share this yesterday when I received it.

Alison

Alison L. Cassady

Deputy Chief of Staff for Policy

U.S. Environmental Protection Agency

Cell: (202) 941-6036

---

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO <Sonia.Aggarwal@epa.gov> [Ex. 6 Personal Privacy (PP)]

**Sent:** Monday, September 20, 2021 12:36 PM

**To:** Laura daniel-davis@ios.doi.gov; Robert Bonnie, USDA <Robert.Bonnie@usda.gov>; kevin.bush@hud.gov; laura.schiller@dot.gov; tarak.shah@hq.doe.gov; Cassady, Alison <Cassady.Alison@epa.gov>; Porfilio, Jaclyn (Federal <JPorfilio@doc.gov>; Karen Hyun - NOAA Federal <karen.hyun@noaa.gov>; Feldman, Stefanie G. EOP/WHO <Stefanie.G.Feldman@epa.gov> [Ex. 6 Personal Privacy (PP)]; English, Leandra EOP/WHO <Leandra.English@epa.gov> [Ex. 6 Personal Privacy (PP)]; Nakagawa, Melanie Y. EOP/NSC <Melanie.Y.Nakagawa@epa.gov> [Ex. 6 Personal Privacy (PP)]; Vahlsing, Candace M. EOP/OMB <Candace.M.Vahlsing@epa.gov> [Ex. 6 Personal Privacy (PP)]; Schory, Daniel K. EOP/OMB <Daniel.K.Schory@epa.gov> [Ex. 6 Personal Privacy (PP)]; Lee-Ashley, Matt G. EOP/CEQ <Matthew.G.Lee-Ashley@epa.gov> [Ex. 6 Personal Privacy (PP)]; Shulman, Sophie (OST <Sophie.Shulman@dot.gov>; Utech, Dan <Utech.Dan@epa.gov>; Lal, Bhavya (HQ-IA000 <bhavya.lal@nasa.gov>; Ramamurti, Bharat R. EOP/WHO <Bharat.Ramamurti@epa.gov> [Ex. 6 Personal Privacy (PP)]; andrew.mayock@epa.gov [Ex. 6 Personal Privacy (PP)]; Koizumi, Kei EOP/OSTP <Kei.Koizumi@epa.gov> [Ex. 6 Personal Privacy (PP)]; Ramoncita.C.Martinez <Ramoncita.C.Martinez@epa.gov> [Ex. 6 Personal Privacy (PP)]; Randolph.alles@hq.dhs.gov; Bryan, Joseph SES SD <Joseph.Bryan@sd.mil>; Rachel.Heron2@usdoj.gov; Nayak.Raj@dol.gov; Donna.Harris-Aikens@ed.gov; sonal.larsen@gsa.gov; Arsenio.Mataka@hhs.gov; Rachel.Levine@hhs.gov; Rick Duke, SPEC <DukeRD@state.gov>; Catherine.Wolfram@treasury.gov; Yohannes, Meron (Federal <MYohannes@doc.gov>; lupe.morales@hq.dhs.gov; Murren, Jack CIV SD <Jack.murren@sd.mil>; Sargrad, Scott <Scott.Sargrad@ed.gov>; Hickey, Mike J. EOP/OMB <Mike.J.Hickey@epa.gov> [Ex. 6 Personal Privacy (PP)]; Zepeda, Elizabeth G

<Elizabeth.G.Zepeda@hud.gov>; Sara Jordan <Sara.L.Jordan@Ex. 6 Personal Privacy (PP)>; Zelman, Allison L - OSEC  
 <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ <Eva.B.Grant@Ex. 6 Personal Privacy (PP)>; Kidd, Richard G IV SES OSD OUSD A-S  
 (USA <richard.g.kidd6.civ@mail.mil>; John.Morton@treasury.gov; Fisher, Megan (HHS/OASH <Megan.Fisher@hhs.gov>;  
 Cox, Alexander N. EOP/WHO <Alexander.N.Cox@Ex. 6 Personal Privacy (PP)>; Aguilera, Allie <Allie.Aguilera@ed.gov>; Gallegos,  
 Justina W. EOP/WHO <Justina.W.Gallegos@Ex. 6 Personal Privacy (PP)>; McLaurin, Juschelle D. EOP/CEQ <jdmclaurin@Ex. 6 Personal Privacy (PP)>;  
 TOZIER, KATHLEEN <kathleen.tozier@hq.dhs.gov>; Tuckett, Gayle <Gayle.Tuckett@fda.hhs.gov>; SUNSTEIN, CASS  
 <cass.sunstein@hq.dhs.gov>; Ali Zaidi <Ali.A.Zaidi@Ex. 6 Personal Privacy (PP)>; Thomas, Maggie M. EOP/WHO  
 <Maggie.M.Thomas@Ex. 6 Personal Privacy (PP)>  
**Cc:** Desai, Mausami <Desai.Mausami@epa.gov>; Fawcett, Allen <Fawcett.Allen@epa.gov>; Alsalam, Jameel  
 <Alsalam.Jameel@epa.gov>; Michael Kuperberg <mkuperberg@usgcrp.gov>; frank.niepold@noaa.gov; Caruso, Randy J  
 <CarusoRJ@state.gov>; Adams, Kevin M <AdamsKM2@state.gov>; Emily Seen <SeenEJ@state.gov>; Sierra Woodruff  
 <WoodruffSC@state.gov>; Christina Chan <ChanC2@state.gov>; Dragisic, Christine D <DragisicCD@state.gov>;  
 MacHardy, Sonia Aggarwal R. EOP/WHO <Sonia.Aggarwal@Ex. 6 Personal Privacy (PP)>; Duke, Richard D <DukeRD@state.gov>;  
 Carlock, Gregory T. EOP/WHO <Gregory.T.Carlock@Ex. 6 Personal Privacy (PP)>

**Subject:** For review: National Communication and Biennial Report on Climate

Colleagues,

Please find attached a rough draft of the 7th National Communication and 3rd and 4th Biennial Reports to the UNFCCC. We are circulating this draft for interagency technical review, and kindly request your feedback by **5pm on Friday September 24**. (Input on formatting is not required at this point.) Comments may be sent to the people **on the cc line** to this message. We will then incorporate these edits and circulate a revised version for Principals' comment. Our aim is to submit this report to the UNFCCC for COP26, which begins October 31.

As you may know, National Communications and Biennial Reports are required reports under the UNFCCC. These reports were not submitted under the previous administration, and are long overdue. Given the importance the United States places on transparency under the UNFCCC and the Paris Agreement, coming back up to date on our reporting is important. The combined National Communication and Biennial Reports focus on progress through 2020, before the Biden-Harris administration took office, and as such will complement the National Climate Strategy and Long-Term Strategy currently also under preparation (and about which we will also continue to communicate with this group). Our next National Communication and Biennial Report, due in December 2022, will provide an opportunity to report on the ambition of the first two years of the Biden Administration.

We are very grateful for the input of your experts in providing a critical review of this draft, which includes chapters drafted by experts throughout the government. The others of us on this "from" line especially tip our hats to Chris Dragisic for her leadership in pulling this together. (And should your agency have additional graphic or editorial capacity, we would certainly welcome this support as well.)

Please let us know if you have any questions.

Best,  
 sonia aggarwal, Rick Duke, Chris Dragisic, Greg Carlock



Message

---

**From:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**Sent:** 9/29/2021 3:48:00 PM  
**To:** Niebling, William [Niebling.William@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** RE: MATS

Hi William- Dan is checking in on this and we hope to know more this afternoon. I don't have any updates on my end.  
Vicki

---

**From:** Niebling, William <Niebling.William@epa.gov>  
**Sent:** Wednesday, September 29, 2021 11:00 AM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** MATS

From this morning's conversation, should the takeaway be that MATS is still on track for Thu/Fri or that it is likely to bounce to next week?

=====

William Niebling  
Associate Administrator  
Office of Congressional and Intergovernmental Relations  
U.S. Environmental Protection Agency

Message

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**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 9/29/2021 7:20:09 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** AO Staff Office Weekly Report for 9/29/21  
**Attachments:** AO Staff Office Weekly Report 9.29.21 FINAL.pdf; AO Staff Office Weekly Report 9.29.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the AO Staff Office Weekly Report (in both PDF and Word) for the week ending September 29, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

Message

---

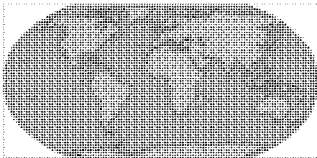
**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 9/29/2021 8:34:18 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 9/29/21  
**Attachments:** Administrator Weekly Report 9.29.21 FINAL.pdf; Administrator Weekly Report 9.29.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending September 29, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617




---

 Message
 

---

**From:** Shoaff, John [Shoaff.John@epa.gov]  
**Sent:** 10/5/2021 9:21:49 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** FW: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate  
**Attachments:** NC7 Ferland combined 2 - BR3-4 Compiled Draft 10-1 Clean For Principal Review\_SB.docx

**Importance:** High

Joe,

If not already checked off the list, just wanted to remind of the need to pass this to Allison by COB unless she instructed folks to reply directly to Sonia and Rick, incoming emails included below. Kudos to Henry, the attached includes the edits you inquired about last PM as well as other input from ORIA. Happy to relay if that helps, just let me know. Thx.

John

**JOHN SHOAFF** (HE/HIM/HIS) | DIRECTOR  
 OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)  
 OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C  
 1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA  
[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov) | 1-202-564-0531 DIRECT | 1-202-257-1755 MOBILE

---

**From:** Ferland, Henry <Ferland.Henry@epa.gov>  
**Sent:** Tuesday, October 5, 2021 10:29 AM  
**To:** Shoaff, John <Shoaff.John@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Cc:** Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>  
**Subject:** RE: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate  
**Importance:** High

John et al:

OAP responded with a slightly revised version that included the edit to page 209 that Joe inquired about. Attached includes that edit, and I also inserted the ORIA language per Joe's recommendation. So this version should include all OAR program staff comment to-date.

Best,

H

**HENRY FERLAND** | INTERNATIONAL COORDINATOR  
 U.S. EPA OFFICE OF AIR & RADIATION

[Ferland.Henry@epa.gov](mailto:Ferland.Henry@epa.gov) | 1-202-343-9330

---

**From:** Shoaff, John <Shoaff.John@epa.gov>  
**Sent:** Monday, October 04, 2021 7:31 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Cc:** Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Ferland, Henry <Ferland.Henry@epa.gov>  
**Subject:** RE: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate

Thanks Joe. Good catch and question you raise may be an instance where we might not have received an accompanying edit to the comment so will check on this with OAP in the AM. Thanks!

John

**JOHN SHOAFF** (HE/HIM/HIS) | DIRECTOR  
 OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)  
 OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C  
 1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA  
[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov) | 1-202-564-0531 DIRECT | 1-202-257-1755 MOBILE

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Monday, October 4, 2021 6:42 PM  
**To:** Shoaff, John <Shoaff.John@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Cc:** Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Ferland, Henry <Ferland.Henry@epa.gov>  
**Subject:** RE: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate

The edits and comments look straightforward. On 209, did Stephanie make the fix to the problem she flagged. I can't tell from her note. The language below is good and we should propose to add it. Thanks.

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

---

**From:** Shoaff, John <Shoaff.John@epa.gov>  
**Sent:** Monday, October 4, 2021 6:33 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Cc:** Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>; Ferland, Henry <Ferland.Henry@epa.gov>  
**Subject:** FW: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate  
**Importance:** High

Joe,

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

**JOHN SHOAFF** (HE/HIM/HIS) | DIRECTOR  
OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)  
OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C  
1200 PENNSYLVANIA AVE. NW | MC 6103A | WASHINGTON, D.C. | 20460 | USA  
[Shoaff.john@epa.gov](mailto:Shoaff.john@epa.gov) | 1-202-564-0531 DIRECT | 1-202-257-1755 MOBILE

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Sent:** Sunday, October 3, 2021 3:07 PM

**To:** Shoaff, John <Shoaff.John@epa.gov>

**Cc:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>

**Subject:** FW: RED FLAG REVIEW: National Communication and Biennial Report on Climate

John – Would you do the honors of reviewing and also collecting **\*red flag\*** comments? Thanks.

Joseph Goffman

Acting Assistant Administrator

Office of Air and Radiation

U.S. Environmental Protection Agency

---

**From:** Cassady, Alison <Cassady.Alison@epa.gov>

**Sent:** Sunday, October 3, 2021 3:01 PM

**To:** McCabe, Janet <McCabe.Janet@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>

**Subject:** RED FLAG REVIEW: National Communication and Biennial Report on Climate

Hi all,

## Ex. 5 Deliberative Process (DP)

Alison

Alison L. Cassady

Deputy Chief of Staff for Policy

U.S. Environmental Protection Agency

Cell: (202) 941-6036

---

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO <Sonia.Aggarwal@epa.gov> Ex. 6 Personal Privacy (PP)

**Sent:** Saturday, October 2, 2021 10:51 PM

**To:** Laura daniel-davis@ios.doi.gov; Robert Bonnie, USDA <Robert.Bonnie@usda.gov>; kevin.bush@hud.gov; laura.schiller@dot.gov; tarak.shah@hq.doe.gov; Cassady, Alison <Cassady.Alison@epa.gov>; Porfilio, Jaclyn (Federal <JPorfilio@doc.gov>; Karen Hyun - NOAA Federal <karen.hyun@noaa.gov>; Feldman, Stefanie G. EOP/WHO <Stefanie.G.Feldman@epa.gov> Ex. 6 Personal Privacy (PP); English, Leandra EOP/WHO <Leandra.English@epa.gov> Ex. 6 Personal Privacy (PP); Nakagawa, Melanie Y. EOP/NSC <Melanie.Y.Nakagawa@epa.gov> Ex. 6 Personal Privacy (PP); Vahlsing, Candace M. EOP/OMB <Candace.M.Vahlsing@epa.gov> Ex. 6 Personal Privacy (PP); Schory, Daniel K. EOP/OMB <Daniel.K.Schory@epa.gov> Ex. 6 Personal Privacy (PP); Lee-Ashley, Matt G. EOP/CEQ <Matthew.G.Lee-Ashley@epa.gov> Ex. 6 Personal Privacy (PP); Shulman, Sophie (OST <Sophie.Shulman@dot.gov>; Utech, Dan <Utech.Dan@epa.gov>; Ramamurti, Bharat R. EOP/WHO <Bharat.Ramamurti@epa.gov> Ex. 6 Personal Privacy (PP); andrew.mayock@epa.gov Ex. 6 Personal Privacy (PP); Koizumi, Kei EOP/OSTP <Kei.Koizumi@epa.gov> Ex. 6 Personal Privacy (PP); Ramoncita.C.Martinez <Ramoncita.C.Martinez@epa.gov> Ex. 6 Personal Privacy (PP); andolph.alles@hq.dhs.gov; Bryan, Joseph SES SD <Joseph.Bryan@sd.mil>; Rachel.Heron2@usdoj.gov; Nayak.Raj@dol.gov; Donna.Harris-Aikens@ed.gov; sonal.larsen@gsa.gov; Arsenio.Mataka@hhs.gov; Rachel.Levine@hhs.gov; Rick Duke, SPEC <DukeRD@state.gov>; Catherine.Wolfram@treasury.gov; Yohannes, Meron (Federal <MYohannes@doc.gov>; lupe.morales@hq.dhs.gov; Murren, Jack CIV SD <Jack.murren@sd.mil>; Sargrad, Scott <Scott.Sargrad@ed.gov>; Hickey, Mike J. EOP/OMB <Mike.J.Hickey@epa.gov> Ex. 6 Personal Privacy (PP); Zepeda, Elizabeth G <Elizabeth.G.Zepeda@hud.gov>; Sara Jordan <Sara.L.Jordan@epa.gov> Ex. 6 Personal Privacy (PP); Zelman, Allison L - OSEC <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ

<Eva.B.Grant@Ex. 6 Personal Privacy (PP)>; Kidd, Richard G IV SES OSD OUSD A-S (USA <richard.g.kidd6.civ@mail.mil>; John.Morton@treasury.gov; Fisher, Megan (HHS/OASH <Megan.Fisher@hhs.gov>; Cox, Alexander N. EOP/WHO <Alexander.N.Cox@Ex. 6 Personal Privacy (PP)>; Aguilera, Allie <Allie.Aguilera@ed.gov>; Gallegos, Justina W. EOP/WHO <Justina.W.Gallego@Ex. 6 Personal Privacy (PP)>; McLaurin, Juschelle D. EOP/CEQ <jdmclaurin@Ex. 6 Personal Privacy (PP)>; TOZIER, KATHLEEN <kathleen.tozier@hq.dhs.gov>; Tuckett, Gayle <Gayle.Tuckett@fda.hhs.gov>; SUNSTEIN, CASS <cass.sunstein@hq.dhs.gov>; Ali Zaidi <Ali.A.Zaidi@Ex. 6 Personal Privacy (PP)>; Thomas, Maggie M. EOP/WHO <Maggie.M.Thomas@Ex. 6 Personal Privacy (PP)>; Kathryn Stratos <kstratos@usaid.gov>; Notman, Evan (DDI/EEI) <enotman@usaid.gov>; susie.p.quinn@nasa.gov; ryan.hubbard@nasa.gov; Lambert, Rashahra T. (HQ-AA000) <rashahra.t.lambert@nasa.gov>

**Cc:** Desai, Mausami <Desai.Mausami@epa.gov>; Fawcett, Allen <Fawcett.Allen@epa.gov>; Alsalam, Jameel <Alsalam.Jameel@epa.gov>; Michael Kuperberg <Ex. 6 Personal Privacy (PP)>; frank.niepold@noaa.gov; Caruso, Randy J <CarusoRJ@state.gov>; Adams, Kevin M <AdamsKM2@state.gov>; Emily Seen <SeenEJ@state.gov>; Sierra Woodruff <WoodruffSC@state.gov>; Christina Chan <ChanC2@state.gov>; Dragisic, Christine D <DragisicCD@state.gov>; Duke, Richard D <DukeRD@state.gov>; Carlock, Greg T. EOP/WHO <Gregory.T.Carlock@Ex. 6 Personal Privacy (PP)>

**Subject:** RE: National Communication and Biennial Report on Climate

Hello all,

Thank you to all of you who submitted comments to improve the United States' 7th National Communication and 3rd and 4th Biennial Reports to the UNFCCC.

Here, as promised, is a revised version of the document that you are welcome to share with your Principals. As a reminder, this document covers actions that happened before the start of the Biden-Harris administration, and is primarily a transparency document for the Paris Agreement, so we are not expecting this will require Principal review in most cases. Nevertheless, if there are any comments from Principals before next Tuesday October 5, please share them with those on the cc line here.

Big thanks to the authors listed on the cc line for their work, and major kudos to Chris Dragisic for her leadership in getting this done.

## Ex. 5 Deliberative Process (DP)

Thanks,  
sonia aggarwal and Rick Duke  
on behalf of the Domestic Climate Policy Office and the Special Envoy for Climate

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO  
**Sent:** Monday, September 20, 2021 12:36 PM  
**To:** 'Laura\_daniel-davis@ios.doi.gov' <Laura\_daniel-davis@ios.doi.gov>; 'Robert Bonnie, USDA' <Robert.Bonnie@usda.gov>; 'kevin.bush@hud.gov' <kevin.bush@hud.gov>; 'laura.schiller@dot.gov' <laura.schiller@dot.gov>; 'tarak.shah@hq.doe.gov' <tarak.shah@hq.doe.gov>; 'Alison Cassady, EPA' <Cassady.Alison@epa.gov>; 'Porfilio, Jaclyn (Federal)' <JPorfilio@doc.gov>; 'Karen Hyun - NOAA Federal' <karen.hyun@noaa.gov>; Feldman, Stefanie G. EOP/WHO <Stefanie.G.Feldman@Ex. 6 Personal Privacy (PP)>; English, Leandra EOP/WHO <Leandra.Englis@Ex. 6 Personal Privacy (PP)>; Kagawa, Melanie Y. EOP/NSC <Melanie.Y.Nakagawa@Ex. 6 Personal Privacy (PP)>; Vahlsing, Candace M. EOP/OMB <Ex. 6 Personal Privacy (PP)>; Schory, Daniel K. EOP/OMB <Ex. 6 Personal Privacy (PP)>; Ashley, Matt G. EOP/CEQ <Matthew.G.Lee-Ashley@Ex. 6 Personal Privacy (PP)>; 'Shulman, Sophie (OST)' <Sophie.Shulman@dot.gov>; 'Utech.Dan@epa.gov' <Utech.Dan@epa.gov>; 'Lal, Bhavya (HQ-IA000)' <bhavya.lal@nasa.gov>; Ramamurti, Bharat R. EOP/WHO <Bharat.Ramamurti@Ex. 6 Personal Privacy (PP)>; Mayock, Andrew EOP/CEQ <Andrew.Mayock@Ex. 6 Personal Privacy (PP)>; Koizumi, Kei EOP/OSTP <Ex. 6 Personal Privacy (PP)>; Martinez, Cecilia C. EOP/CEQ <Ramoncita.C.Martinez@Ex. 6 Personal Privacy (PP)>; Randolph.alles@hq.dhs.gov' <Randolph.alles@hq.dhs.gov>; 'Bryan, Joseph SES SD' <Joseph.Bryan@sd.mil>; 'Rachel.Heron2@usdoj.gov' <Rachel.Heron2@usdoj.gov>; 'Nayak.Raj@dol.gov'



<Nayak.Raj@dol.gov>; 'Donna.Harris-Aikens@ed.gov' <Donna.Harris-Aikens@ed.gov>; 'sonal.larsen@gsa.gov' <sonal.larsen@gsa.gov>; 'Arsenio.Mataka@hhs.gov' <Arsenio.Mataka@hhs.gov>; 'Rachel.Levine@hhs.gov' <Rachel.Levine@hhs.gov>; 'Rick Duke, SPEC' <DukeRD@state.gov>; 'Catherine.Wolfram@treasury.gov' <Catherine.Wolfram@treasury.gov>; 'Yohannes, Meron (Federal)' <MYohannes@doc.gov>; 'lupe.morales@hq.dhs.gov' <lupe.morales@hq.dhs.gov>; 'Murren, Jack CIV SD' <Jack.murren@sd.mil>; 'Sargrad, Scott' <Scott.Sargrad@ed.gov>; Hickey, Mike J. EOP/OMB <[Ex. 6 Personal Privacy (PP)]>; 'Zepeda, Elizabeth G' <Elizabeth.G.Zepeda@hud.gov>; Jordan, Sara L. EOP/CEQ <Sara.L.Jordan@[Ex. 6 Personal Privacy (PP)]>; 'Zelman, Allison L - OSEC' <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ <Eva.B.Grant@[Ex. 6 Personal Privacy (PP)]>; 'Kidd, Richard G IV SES OSD OUSD A-5 (USA)' <richard.g.kidd6.civ@mail.mil>; 'John.Morton@treasury.gov' <John.Morton@treasury.gov>; 'Fisher, Megan (HHS/OASH)' <Megan.Fisher@hhs.gov>; Cox, Alexander N. EOP/WHO <Alexander.N.Cox@[Ex. 6 Personal Privacy (PP)]>; 'Aguilera, Allie' <Allie.Aguilera@ed.gov>; Gallegos, Justina W. EOP/WHO <Justina.W.Gallegos@[Ex. 6 Personal Privacy (PP)]>; McLaurin, Juschelle D. EOP/CEQ <jdmclaurin@[Ex. 6 Personal Privacy (PP)]>; 'TOZIER, KATHLEEN' <kathleen.tozier@hq.dhs.gov>; 'Tuckett, Gayle' <Gayle.Tuckett@fda.hhs.gov>; 'SUNSTEIN, CASS' <cass.sunstein@hq.dhs.gov>; Zaidi, Ali A. EOP/WHO <Ali.A.Zaidi@[Ex. 6 Personal Privacy (PP)]>; Thomas, Maggie M. EOP/WHO <Maggie.M.Thomas@[Ex. 6 Personal Privacy (PP)]>  
**Cc:** 'Desai, Mausami' <desai.mausami@epa.gov>; Fawcett, Allen <Fawcett.Allen@epa.gov>; 'Jameel Alsalam' <alsalam.jameel@epa.gov>; 'Michael Kuperberg' <[Ex. 6 Personal Privacy (PP)]>; 'frank.niepold@noaa.gov' <frank.niepold@noaa.gov>; 'Caruso, Randy J' <CarusoRJ@state.gov>; 'Adams, Kevin M' <AdamsKM2@state.gov>; 'Emily Seen' <SeenEJ@state.gov>; 'Sierra Woodruff' <WoodruffSC@state.gov>; 'Christina Chan' <ChanC2@state.gov>; Dragisic, Christine D <DragisicCD@state.gov>; MacHardy, Sonia Aggarwal R. EOP/WHO <Sonia.Aggarwal@[Ex. 6 Personal Privacy (PP)]>; Duke, Richard D <DukeRD@state.gov>; Carlock, Gregory T. EOP/WHO <Gregory.T.Carlock@[Ex. 6 Personal Privacy (PP)]>

**Subject:** For review: National Communication and Biennial Report on Climate

Colleagues,

Please find attached a rough draft of the 7th National Communication and 3rd and 4th Biennial Reports to the UNFCCC. We are circulating this draft for interagency technical review, and kindly request your feedback by **5pm on Friday September 24**. (Input on formatting is not required at this point.) Comments may be sent to the people **on the cc line** to this message. We will then incorporate these edits and circulate a revised version for Principals' comment. Our aim is to submit this report to the UNFCCC for COP26, which begins October 31.

As you may know, National Communications and Biennial Reports are required reports under the UNFCCC. These reports were not submitted under the previous administration, and are long overdue. Given the importance the United States places on transparency under the UNFCCC and the Paris Agreement, coming back up to date on our reporting is important. The combined National Communication and Biennial Reports focus on progress through 2020, before the Biden-Harris administration took office, and as such will complement the National Climate Strategy and Long-Term Strategy currently also under preparation (and about which we will also continue to communicate with this group). Our next National Communication and Biennial Report, due in December 2022, will provide an opportunity to report on the ambition of the first two years of the Biden Administration.

We are very grateful for the input of your experts in providing a critical review of this draft, which includes chapters drafted by experts throughout the government. The others of us on this "from" line especially tip our hats to Chris Dragisic for her leadership in pulling this together. (And should your agency have additional graphic or editorial capacity, we would certainly welcome this support as well.)

Please let us know if you have any questions.

Best,  
 sonia aggarwal, Rick Duke, Chris Dragisic, Greg Carlock

Message

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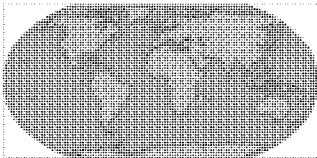
**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 10/6/2021 8:09:50 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 10/6/21  
**Attachments:** Administrator Weekly Report 10.6.21 FINAL.pdf; Administrator Weekly Report 10.6.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending October 6, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617




---

 Message
 

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**From:** Ferland, Henry [Ferland.Henry@epa.gov]  
**Sent:** 10/7/2021 4:14:43 PM  
**To:** Shoaff, John [Shoaff.John@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]  
**CC:** Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Hockstad, Leif [Hockstad.Leif@epa.gov]; Henning, Julie [henning.julie@epa.gov]; Dunham, Sarah [Dunham.Sarah@epa.gov]; Hengst, Benjamin [Hengst.Benjamin@epa.gov]  
**Subject:** RE: By COB 10/5: RED FLAG REVIEW: National Communication and Biennial Report on Climate  
**Attachments:** NC7 BR3-4 Compiled Draft 10-1 Clean For Principal Review - OTAQ.docx

Hey all:

OTAQ had a late arriving comment on this – we are past the deadline so may be too late to incorporate (and not sure who has forwarded this back to AO)...but want to share in case there is a chance of also including this comment. OTAQ provided some edits to the transport section on climate impacts of regs on light duty and heavy duty vehicles – **pages 78, 79 in attached.**

Please forward if possible.

Thx,

Henry

**HENRY FERLAND** | *INTERNATIONAL COORDINATOR*  
 U.S. EPA OFFICE OF AIR & RADIATION

Ferland.Henry@epa.gov | 1-202-343-9330

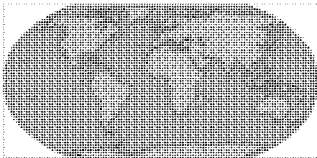
---

**From:** Ferland, Henry  
**Sent:** Tuesday, October 05, 2021 10:29 AM  
**To:** Shoaff, John <Shoaff.John@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>  
**Cc:** Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>  
**Subject:** RE: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate  
**Importance:** High

John et al:

# Ex. 5 Deliberative Process (DP)

Best,



H

**HENRY FERLAND** | INTERNATIONAL COORDINATOR  
U.S. EPA OFFICE OF AIR & RADIATION

[Ferland.Henry@epa.gov](mailto:Ferland.Henry@epa.gov) | 1-202-343-9330

**From:** Shoaff, John <[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov)>

**Sent:** Monday, October 04, 2021 7:31 PM

**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>

**Cc:** Lubetsky, Jonathan <[Lubetsky.Jonathan@epa.gov](mailto:Lubetsky.Jonathan@epa.gov)>; Hockstad, Leif <[Hockstad.Leif@epa.gov](mailto:Hockstad.Leif@epa.gov)>; Ferland, Henry <[Ferland.Henry@epa.gov](mailto:Ferland.Henry@epa.gov)>

**Subject:** RE: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate

Thanks Joe.

## Ex. 5 Deliberative Process (DP)

John

**JOHN SHOAFF** (HE/HIM/HIS) | DIRECTOR

OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)

OFFICE OF AIR & RADIATION | U.S. EPA | WJC NORTH 5442-C

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[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov) | 1-202-564-0531 DIRECT | 1-202-257-1755 MOBILE

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Sent:** Monday, October 4, 2021 6:42 PM

**To:** Shoaff, John <[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>

**Cc:** Lubetsky, Jonathan <[Lubetsky.Jonathan@epa.gov](mailto:Lubetsky.Jonathan@epa.gov)>; Hockstad, Leif <[Hockstad.Leif@epa.gov](mailto:Hockstad.Leif@epa.gov)>; Ferland, Henry <[Ferland.Henry@epa.gov](mailto:Ferland.Henry@epa.gov)>

**Subject:** RE: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate

The edits and comments look straightforward. On 209, did Stephanie make the fix to the problem she flagged. I can't tell from her note. The language below is good and we should propose to add it. Thanks.

Joseph Goffman

Acting Assistant Administrator

Office of Air and Radiation

U.S. Environmental Protection Agency

**From:** Shoaff, John <[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov)>

**Sent:** Monday, October 4, 2021 6:33 PM

**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>

**Cc:** Lubetsky, Jonathan <[Lubetsky.Jonathan@epa.gov](mailto:Lubetsky.Jonathan@epa.gov)>; Hockstad, Leif <[Hockstad.Leif@epa.gov](mailto:Hockstad.Leif@epa.gov)>; Ferland, Henry <[Ferland.Henry@epa.gov](mailto:Ferland.Henry@epa.gov)>

**Subject:** FW: By COB Today: RED FLAG REVIEW: National Communication and Biennial Report on Climate  
**Importance:** High

Joe,

# Ex. 5 Deliberative Process (DP)

**JOHN SHOAFF** (HE/HIM/HIS) | DIRECTOR  
 OFFICE OF AIR POLICY & PROGRAM SUPPORT (OAPPS)  
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---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, October 3, 2021 3:07 PM  
**To:** Shoaff, John <[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov)>  
**Cc:** Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>; Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Tsirigotis, Peter <[Tsirigotis.Peter@epa.gov](mailto:Tsirigotis.Peter@epa.gov)>; Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>  
**Subject:** FW: RED FLAG REVIEW: National Communication and Biennial Report on Climate

John – Would you do the honors of reviewing and also collecting \*red flag\* comments? Thanks.

Joseph Goffman  
 Acting Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

---

**From:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Sent:** Sunday, October 3, 2021 3:01 PM  
**To:** McCabe, Janet <[McCabe.Janet@epa.gov](mailto:McCabe.Janet@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Nunez, Alejandra <[Nunez.Alejandra@epa.gov](mailto:Nunez.Alejandra@epa.gov)>  
**Subject:** RED FLAG REVIEW: National Communication and Biennial Report on Climate

Hi all,

# Ex. 5 Deliberative Process (DP)

Alison

Alison L. Cassady  
 Deputy Chief of Staff for Policy  
 U.S. Environmental Protection Agency  
 Cell: (202) 941-6036

---

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO <[Sonia.Aggarwal@epa.gov](mailto:Sonia.Aggarwal@epa.gov)> [Ex. 6 Personal Privacy (PP)]  
**Sent:** Saturday, October 2, 2021 10:51 PM  
**To:** Laura daniel-davis@ios.doi.gov; Robert Bonnie, USDA <[Robert.Bonnie@usda.gov](mailto:Robert.Bonnie@usda.gov)>; kevin.bush@hud.gov; laura.schiller@dot.gov; tarak.shah@hq.doe.gov; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Porfilio, Jaclyn (Federal <[JPorfilio@doc.gov](mailto:JPorfilio@doc.gov)>; Karen Hyun - NOAA Federal <[karen.hyun@noaa.gov](mailto:karen.hyun@noaa.gov)>; Feldman, Stefanie G. EOP/WHO <[Stefanie.G.Feldman@epa.gov](mailto:Stefanie.G.Feldman@epa.gov)> [Ex. 6 Personal Privacy (PP)]; English, Leandra EOP/WHO <[Leandra.English@epa.gov](mailto:Leandra.English@epa.gov)> [Ex. 6 Personal Privacy (PP)]; Nakagawa, Melanie Y. EOP/NSC <[Melanie.Y.Nakagawa@epa.gov](mailto:Melanie.Y.Nakagawa@epa.gov)> [Ex. 6 Personal Privacy (PP)]; Vahlsing, Candace M. EOP/OMB <[Candace.M.Vahlsing@epa.gov](mailto:Candace.M.Vahlsing@epa.gov)> [Ex. 6 Personal Privacy (PP)]; Schory, Daniel K. EOP/OMB <[Daniel.K.Schory@epa.gov](mailto:Daniel.K.Schory@epa.gov)> [Ex. 6 Personal Privacy (PP)]; Lee-Ashley, Matt G. EOP/CEQ <[Matthew.G.Lee-Ashley@epa.gov](mailto:Matthew.G.Lee-Ashley@epa.gov)> [Ex. 6 Personal Privacy (PP)]; Shulman, Sophie (OST <[Sophie.Shulman@dot.gov](mailto:Sophie.Shulman@dot.gov)>; Utech, Dan

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 <Ex. 6 Personal Privacy (PP)>; Zepeda, Elizabeth G <Elizabeth.G.Zepeda@hud.gov>; Sara Jordan  
 <Sara.L.Jordan@Ex. 6 Personal Privacy (PP)>; Zelman, Allison L - OSEC <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ  
 <Eva.B.Grant@Ex. 6 Personal Privacy (PP)>; Kidd, Richard G IV SES OSD OUSD A-S (USA <richard.g.kidd6.civ@mail.mil>;  
 John.Morton@treasury.gov; Fisher, Megan (HHS/OASH <Megan.Fisher@hhs.gov>; Cox, Alexander N. EOP/WHO  
 <Alexander.N.Cox@Ex. 6 Personal Privacy (PP)>; Aguilera, Allie <Allie.Aguilera@ed.gov>; Gallegos, Justina W. EOP/WHO  
 <Justina.W.Gallegos@Ex. 6 Personal Privacy (PP)>; McLaurin, Juschelle D. EOP/CEQ <jdmclaurin@Ex. 6 Personal Privacy (PP)>; TOZIER, KATHLEEN  
 <kathleen.tozier@hq.dhs.gov>; Tuckett, Gayle <Gayle.Tuckett@fda.hhs.gov>; SUNSTEIN, CASS  
 <cass.sunstein@hq.dhs.gov>; Ali Zaidi <Ali.A.Zaidi@Ex. 6 Personal Privacy (PP)>; Thomas, Maggie M. EOP/WHO  
 <Maggie.M.Thomas@Ex. 6 Personal Privacy (PP)>; athryn Stratos <kstratos@usaid.gov>; Notman, Evan (DDI/EEI)  
 <enotman@usaid.gov>; susie.p.quinn@nasa.gov; ryan.hubbard@nasa.gov; Lambert, Rashahra T. (HQ-AA000)  
 <rashahra.t.lambert@nasa.gov>  
**Cc:** Desai, Mausami <Desai.Mausami@epa.gov>; Fawcett, Allen <Fawcett.Allen@epa.gov>; Alsalam, Jameel  
 <Alsalam.Jameel@epa.gov>; Michael Kuperberg <Ex. 6 Personal Privacy (PP)>; frank.niepold@noaa.gov; Caruso, Randy J  
 <CarusoRJ@state.gov>; Adams, Kevin M <AdamsKM2@state.gov>; Emily Seen <SeenEJ@state.gov>; Sierra Woodruff  
 <WoodruffSC@state.gov>; Christina Chan <ChanC2@state.gov>; Dragisic, Christine D <DragisicCD@state.gov>; Duke,  
 Richard D <DukeRD@state.gov>; Carlock, Greg T. EOP/WHO <Gregory.T.Carlock@Ex. 6 Personal Privacy (PP)>  
**Subject:** RE: National Communication and Biennial Report on Climate

Hello all,

Thank you to all of you who submitted comments to improve the United States' 7th National Communication and 3rd and 4th Biennial Reports to the UNFCCC.

Here, as promised, is a revised version of the document that you are welcome to share with your Principals. As a reminder, this document covers actions that happened before the start of the Biden-Harris administration, and is primarily a transparency document for the Paris Agreement, so we are not expecting this will require Principal review in most cases. Nevertheless, if there are any comments from Principals before next Tuesday October 5, please share them with those on the cc line here.

Big thanks to the authors listed on the cc line for their work, and major kudos to Chris Dragisic for her leadership in getting this done.

We will be back in touch with this group with more on the National Climate Strategy, the Long-Term Strategy, and the Adaptation Communication, which are the other climate volumes we are planning to release at the beginning of November.

Thanks,  
 sonia aggarwal and Rick Duke  
 on behalf of the Domestic Climate Policy Office and the Special Envoy for Climate

---

**From:** MacHardy, Sonia Aggarwal R. EOP/WHO  
**Sent:** Monday, September 20, 2021 12:36 PM  
**To:** 'Laura\_daniel-davis@ios.doi.gov' <Laura\_daniel-davis@ios.doi.gov>; 'Robert Bonnie, USDA'  
 <Robert.Bonnie@usda.gov>; 'kevin.bush@hud.gov' <kevin.bush@hud.gov>; 'laura.schiller@dot.gov'  
 <laura.schiller@dot.gov>; 'tarak.shah@hq.doe.gov' <tarak.shah@hq.doe.gov>; 'Alison Cassady, EPA'  
 <Cassady.Alison@epa.gov>; 'Porfilio, Jaclyn (Federal)' <JPorfilio@doc.gov>; 'Karen Hyun - NOAA Federal'

<karen.hyun@noaa.gov>; Feldman, Stefanie G. EOP/WHO <Stefanie.G.Feldman@Ex. 6 Personal Privacy (PP)>; English, Leandra EOP/WHO <Leandra.English@Ex. 6 Personal Privacy (PP)>; Nakagawa, Melanie Y. EOP/NSC <Melanie.Y.Nakagawa@Ex. 6 Personal Privacy (PP)>; Vahlsing, Candace M. EOP/OMB <Ex. 6 Personal Privacy (PP)>; Schory, Daniel K. EOP/OMB <Ex. 6 Personal Privacy (PP)>; Lee-Ashley, Matt G. EOP/CEQ <Matthew.G.Lee-Ashley@Ex. 6 Personal Privacy (PP)>; 'Shulman, Sophie (OST)' <Sophie.Shulman@dot.gov>; 'Utech.Dan@epa.gov' <Utech.Dan@epa.gov>; 'Lal, Bhavya (HQ-IA000)' <bhavya.lal@nasa.gov>; Ramamurti, Bharat R. EOP/WHO <Bharat.Ramamurti@Ex. 6 Personal Privacy (PP)>; Mayock, Andrew EOP/CEQ <Andrew.Mayock@Ex. 6 Personal Privacy (PP)>; Koizumi, Kei EOP/OSTP <Ex. 6 Personal Privacy (PP)>; Martinez, Cecilia C. EOP/CEQ <Ramoncita.C.Martinez@Ex. 6 Personal Privacy (PP)>; 'Randolph.alles@hq.dhs.gov' <Randolph.alles@hq.dhs.gov>; 'Bryan, Joseph SES SD' <Joseph.Bryan@sd.mil>; 'Rachel.Heron2@usdoj.gov' <Rachel.Heron2@usdoj.gov>; 'Nayak.Raj@dol.gov' <Nayak.Raj@dol.gov>; 'Donna.Harris-Aikens@ed.gov' <Donna.Harris-Aikens@ed.gov>; 'sonal.larsen@gsa.gov' <sonal.larsen@gsa.gov>; 'Arsenio.Mataka@hhs.gov' <Arsenio.Mataka@hhs.gov>; 'Rachel.Levine@hhs.gov' <Rachel.Levine@hhs.gov>; 'Rick Duke, SPEC' <DukeRD@state.gov>; 'Catherine.Wolfram@treasury.gov' <Catherine.Wolfram@treasury.gov>; 'Yohannes, Meron (Federal)' <MYohannes@doc.gov>; 'lupe.morales@hq.dhs.gov' <lupe.morales@hq.dhs.gov>; 'Murren, Jack CIV SD' <Jack.murren@sd.mil>; 'Sargrad, Scott' <Scott.Sargrad@ed.gov>; Hickey, Mike J. EOP/OMB <Ex. 6 Personal Privacy (PP)>; Zepeda, Elizabeth G' <Elizabeth.G.Zepeda@hud.gov>; Jordan, Sara L. EOP/CEQ <Sara.L.Jordan@Ex. 6 Personal Privacy (PP)>; 'Zelman, Allison L - OSEC' <Zelman.Allison.L@dol.gov>; Grant, Eva B. EOP/CEQ <Eva.B.Grant@Ex. 6 Personal Privacy (PP)>; 'Kidd, Richard G IV SES OSD OUSD A-S (USA)' <richard.g.kidd6.civ@mail.mil>; 'John.Morton@treasury.gov' <John.Morton@treasury.gov>; 'Fisher, Megan (HHS/OASH)' <Megan.Fisher@hhs.gov>; Cox, Alexander N. EOP/WHO <Alexander.N.Cox@Ex. 6 Personal Privacy (PP)>; Aguilera, Allie' <Allie.Aguilera@ed.gov>; Gallegos, Justina W. EOP/WHO <Justina.W.Gallego@Ex. 6 Personal Privacy (PP)>; McLaurin, Juschelle D. EOP/CEQ <jdmclaurin@Ex. 6 Personal Privacy (PP)>; 'TOZIER, KATHLEEN' <kathleen.tozier@hq.dhs.gov>; 'Tuckett, Gayle' <Gayle.Tuckett@fda.hhs.gov>; 'SUNSTEIN, CASS' <cass.sunstein@hq.dhs.gov>; Zaidi, Ali A. EOP/WHO <Ali.A.Zaidi@Ex. 6 Personal Privacy (PP)>; Thomas, Maggie M. EOP/WHO <Maggie.M.Thomas@Ex. 6 Personal Privacy (PP)>;

**Cc:** 'Desai, Mausami' <desai.mausami@epa.gov>; Fawcett, Allen <Fawcett.Allen@epa.gov>; 'Jameel Alsalam' <alsalam.jameel@epa.gov>; 'Michael Kuperberg' <Ex. 6 Personal Privacy (PP)>; 'frank.niepold@noaa.gov' <frank.niepold@noaa.gov>; 'Caruso, Randy J' <CarusoRJ@state.gov>; 'Adams, Kevin M' <AdamsKM2@state.gov>; 'Emily Seen' <SeenEJ@state.gov>; 'Sierra Woodruff' <WoodruffSC@state.gov>; 'Christina Chan' <ChanC2@state.gov>; Dragisic, Christine D <DragisicCD@state.gov>; MacHardy, Sonia Aggarwal R. EOP/WHO <Sonia.Aggarwal@Ex. 6 Personal Privacy (PP)>; Duke, Richard D <DukeRD@state.gov>; Carlock, Gregory T. EOP/WHO <Gregory.T.Carlock@Ex. 6 Personal Privacy (PP)>

**Subject:** For review: National Communication and Biennial Report on Climate

Colleagues,

Please find attached a rough draft of the 7th National Communication and 3rd and 4th Biennial Reports to the UNFCCC. We are circulating this draft for interagency technical review, and kindly request your feedback by **5pm on Friday September 24**. (Input on formatting is not required at this point.) Comments may be sent to the people on the cc line to this message. We will then incorporate these edits and circulate a revised version for Principals' comment. Our aim is to submit this report to the UNFCCC for COP26, which begins October 31.

As you may know, National Communications and Biennial Reports are required reports under the UNFCCC. These reports were not submitted under the previous administration, and are long overdue. Given the importance the United States places on transparency under the UNFCCC and the Paris Agreement, coming back up to date on our reporting is important. The combined National Communication and Biennial Reports focus on progress through 2020, before the Biden-Harris administration took office, and as such will complement the National Climate Strategy and Long-Term Strategy currently also under preparation (and about which we will also continue to communicate with this group). Our next National Communication and Biennial Report, due in December 2022, will provide an opportunity to report on the ambition of the first two years of the Biden Administration.

We are very grateful for the input of your experts in providing a critical review of this draft, which includes chapters drafted by experts throughout the government. The others of us on this "from" line especially tip our



hats to Chris Dragisic for her leadership in pulling this together. (And should your agency have additional graphic or editorial capacity, we would certainly welcome this support as well.)

Please let us know if you have any questions.

Best,  
sonia aggarwal, Rick Duke, Chris Dragisic, Greg Carlock

Message

---

**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 10/13/2021 10:03:48 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 10/13/21  
**Attachments:** Administrator Weekly Report 10.13.21 FINAL.pdf; Administrator Weekly Report 10.13.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending October 13, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

Message

---

**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 10/20/2021 10:14:45 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 10/20/21  
**Attachments:** Administrator Weekly Report 10.20.21 FINAL.pdf; Administrator Weekly Report 10.20.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending October 20, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

## Message

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 10/27/2021 7:56:33 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** FW: Deputies Meeting Package\_Maternal Health.docx  
**Attachments:** Maternal Health IPC\_Compiled Agency Submissions JUN2021.pdf; IPC EPA slide deck 081121.pptx; Deputies Meeting Package\_Maternal Health.docx

Joe, I was in your inbox looking for other emails we discussed earlier and saw this. Do you have OAPPS or anyone working on this already?

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

---

**From:** Briskin, Jeanne <Briskin.Jeanne@epa.gov>  
**Sent:** Wednesday, October 27, 2021 2:25 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Frey, Christopher <Frey.Christopher@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Fine, Philip <Fine.Philip@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Cc:** Monger, Jon <Monger.Jon@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dzubow, Rebecca <Dzubow.Rebecca@epa.gov>; Robiou, Grace <Robiou.Grace@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>  
**Subject:** RE: Deputies Meeting Package\_Maternal Health.docx

Dear Colleagues,  
We have been granted a short extension on our comments. We had requested your comments by noon today. Please provide them instead by COB tomorrow.

## Ex. 5 Deliberative Process (DP)

We appreciate your input and ideas for including an environmental health perspective to this initiative on maternal health.

Best,  
Jeanne

---

**From:** Briskin, Jeanne  
**Sent:** Monday, October 25, 2021 7:30 PM

**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Frey, Christopher <Frey.Christopher@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Fine, Philip <Fine.Philip@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Cc:** Monger, Jon <Monger.Jon@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; 'Dzubow, Rebecca' <Dzubow.Rebecca@epa.gov>; Robiou, Grace <Robiou.Grace@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>  
**Subject:** RE: Deputies Meeting Package\_Maternal Health.docx

Dear Colleagues,

Janet sent this around last Thursday and has asked us to take the lead on providing comments to this committee.

The Office of Children's Health Protection (OCHP) has been working with this committee over the last several months. Attached for your information is the compilation of Agency work for which provided input. I briefed the group in August and provided the attached presentation to the committee.

OCHP is happy to consolidate all of the EPA input on this draft blueprint. **Our comments are due COB Wednesday 10/27. Please send your comments directly to Rebecca Dzubow ([dzubow.rebecca@epa.gov](mailto:dzubow.rebecca@epa.gov)) no later than 12 noon Wednesday.**

Best,  
 Jeanne

**Jeanne Briskin**  
 Director, Office of Children's Health Protection  
 U.S. Environmental Protection Agency

(202) 564-4583

<http://www.epa.gov/children>  
<https://www.epa.gov/schools>  
<https://www.epa.gov/aboutepa/about-office-childrens-health-protection-ochp>

---

**From:** McCabe, Janet <McCabe.Janet@epa.gov>  
**Sent:** Thursday, October 21, 2021 10:15 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Briskin, Jeanne <Briskin.Jeanne@epa.gov>; Frey, Christopher <Frey.Christopher@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Fine, Philip <Fine.Philip@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Cc:** McCabe, Janet <McCabe.Janet@epa.gov>; Monger, Jon <Monger.Jon@epa.gov>; Atkinson, Emily <Atkinson.Emily@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>  
**Subject:** FW: Deputies Meeting Package\_Maternal Health.docx

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

It would be great for any or all of your offices to read and provide any suggestions you have. By separate note, I will ask someone to take the lead on coordinating this for EPA. please think about who from your office would be a good contact.

Thanks!

Janet

## Message

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 10/29/2021 6:34:08 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]; Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Mcquilkin, Wendy [Mcquilkin.Wendy@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Iglesias, Amber [Iglesias.Amber@epa.gov]; OAQPSREGPROCESSING [OAQPSREGPROCESSING@epa.gov]; Biton, Leiran [biton.leiran@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]  
**Subject:** SIGNED: National Emission Standards for Hazardous Air Pollutants: Refractory Products Manufacturing Residual Risk and Technology Review  
**Attachments:** SAN 7527 Refractories RTR Final Rule Preamble and Amendatory Rule Text\_adminMR.docx

Ann (Campbell) Ferrio  
 Chief of Staff  
 EPA/Office of Air and Radiation  
 Office: 202 566 1370

**From:** Wachter, Eric <Wachter.Eric@epa.gov>  
**Sent:** Friday, October 29, 2021 2:24 PM  
**To:** Pritchard, Eileen <Pritchard.Eileen@epa.gov>  
**Cc:** Campbell, Ann <Campbell.Ann@epa.gov>; Gaines, Cynthia <Gaines.Cynthia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Signed: National Emission Standards for Hazardous Air Pollutants: Refractory Products Manufacturing Residual Risk and Technology Review

Hi, Eileen,  
 Please see the attached digitally signed by the Administrator.  
 Thank you.



Eric E. Wachter  
 Director  
 Office of the Executive Secretariat  
 (202) 564-1878 (o)  
 (202) 913-3252 (m)  
 he/him/his

Message

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**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 11/2/2021 2:31:37 AM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]; Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Mcquilkin, Wendy [Mcquilkin.Wendy@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Iglesias, Amber [Iglesias.Amber@epa.gov]; OAQPSREGPROCESSING [OAQPSREGPROCESSING@epa.gov]; Biton, Leiran [biton.leiran@epa.gov]  
**Subject:** SIGNED: Carbon Black Cyanide RTR Final Rule  
**Attachments:** SAN 7523\_Carbon Black\_Cyanide Chemicals\_RTR Final Rule\_adminMSR.docx

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

---

**From:** Wachter, Eric <Wachter.Eric@epa.gov>  
**Sent:** Monday, November 1, 2021 10:06 PM  
**To:** Pritchard, Eileen <Pritchard.Eileen@epa.gov>  
**Cc:** Gaines, Cynthia <Gaines.Cynthia@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Signed: Carbon Black Cyanide

Hi, Eileen,  
Please see the attached digitally signed rule from the Administrator.  
Thank you,  
Eric



Eric E. Wachter  
Director  
Office of the Executive Secretariat  
(202) 564-1878 (o)  
(202) 913-3252 (m)  
*he/him/his*



Message

---

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 11/2/2021 2:32:48 AM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]; Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Mcquilkin, Wendy [Mcquilkin.Wendy@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Iglesias, Amber [Iglesias.Amber@epa.gov]; OAQPSREGPROCESSING [OAQPSREGPROCESSING@epa.gov]; Biton, Leiran [biton.leiran@epa.gov]  
**Subject:** SIGNED: NESHAP Paint Stripping/Surface Coating  
**Attachments:** SAN8339 FRN 6H Proposal Preamble 29Oct21\_SSM-OFR-PRA-OCSP-2\_RfC\_clean\_AdminMSR.docx

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

---

**From:** Wachter, Eric <Wachter.Eric@epa.gov>  
**Sent:** Monday, November 1, 2021 10:06 PM  
**To:** Pritchard, Eileen <Pritchard.Eileen@epa.gov>  
**Cc:** Gaines, Cynthia <Gaines.Cynthia@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Signed: NESHAP Pain Stripping/Surface Coating

Hi, Eileen,  
Please see the attached digitally signed rule from the Administrator.  
Thank you,  
Eric



Eric E. Wachter  
Director  
Office of the Executive Secretariat  
(202) 564-1878 (o)  
(202) 913-3252 (m)  
*he/him/his*

## Message

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 11/2/2021 2:34:47 AM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]; Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Mcquilkin, Wendy [Mcquilkin.Wendy@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]; Cozzie, David [Cozzie.David@epa.gov]; Davis, Alison [Davis.Alison@epa.gov]; Iglesias, Amber [Iglesias.Amber@epa.gov]; OAQPSREGPROCESSING [OAQPSREGPROCESSING@epa.gov]; Biton, Leiran [biton.leiran@epa.gov]  
**Subject:** SIGNED: NSPS for Crude Oil and Natural Gas Facilities  
**Attachments:** SAN 8510 ONG Climate Review Proposal FRN 2021.10.29\_adminMSR.docx

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

---

**From:** Wachter, Eric <Wachter.Eric@epa.gov>  
**Sent:** Monday, November 1, 2021 10:06 PM  
**To:** Pritchard, Eileen <Pritchard.Eileen@epa.gov>  
**Cc:** Gaines, Cynthia <Gaines.Cynthia@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>  
**Subject:** Signed: NSPS for Crude Oil and Natural Gas Facilities

Hi, Eileen,  
Please see the attached digitally signed rule from the Administrator.  
Thank you,  
Eric



Eric E. Wachter  
Director  
Office of the Executive Secretariat  
(202) 564-1878 (o)  
(202) 913-3252 (m)  
*he/him/his*

Message

---

**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 11/3/2021 8:50:10 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 11/3/21  
**Attachments:** Administrator Weekly Report 11.3.21 FINAL.pdf; Administrator Weekly Report 11.3.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending November 4, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

## Message

**From:** McCabe, Janet [McCabe.Janet@epa.gov]  
**Sent:** 11/10/2021 10:03:05 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]  
**CC:** Cassady, Alison [Cassady.Alison@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** RE: draft cpo agenda

Sorry—didn't see this Joe. It was fine that you missed.

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Wednesday, November 10, 2021 4:37 PM  
**To:** Utech, Dan <Utech.Dan@epa.gov>  
**Cc:** McCabe, Janet <McCabe.Janet@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** Re: draft cpo agenda

Don't have the meeting passcode in my iPhone calendar so I can't dial in. Please send it to me if you need me to join.  
 Fine if you don't but Ex. 5 Deliberative Process (DP) Thanks.

Sent from my iPhone

On Nov 10, 2021, at 2:00 PM, Utech, Dan <Utech.Dan@epa.gov> wrote:

Yes. I think that's where we are. And we may even have uploaded by the time of the meeting.

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Wednesday, November 10, 2021 9:00 AM  
**To:** Utech, Dan <Utech.Dan@epa.gov>  
**Cc:** McCabe, Janet <McCabe.Janet@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>  
**Subject:** Re: draft cpo agenda

**Ex. 5 Deliberative Process (DP)**

Sent from my iPhone

On Nov 10, 2021, at 1:57 PM, Utech, Dan <Utech.Dan@epa.gov> wrote:

Not in any particular order

**Ex. 5 Deliberative Process (DP)**

Message

---

**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 11/23/2021 10:45:18 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 11/23/21  
**Attachments:** Administrator Weekly Report 11.23.21 FINAL.pdf; Administrator Weekly Report 11.23.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending November 23, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

Message

---

**From:** Hoffman, Howard [hoffman.howard@epa.gov]  
**Sent:** 11/25/2021 12:08:47 AM  
**To:** McCabe, Janet [McCabe.Janet@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**CC:** Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]; Payne, James (Jim) [payne.james@epa.gov]; Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Hogan, Stephanie [Hogan.Stephanie@epa.gov]; Vijayan, Abi [Vijayan.Abi@epa.gov]; Jordan, Scott [Jordan.Scott@epa.gov]; Schramm, Daniel [Schramm.Daniel@epa.gov]; Greenglass, Nora [Greenglass.Nora@epa.gov]; Garfinkle, Stacey [garfinkle.stacey@epa.gov]  
**Subject:** FW: explanatory email to Janet McCabe, Joe Goffman, and Vicki Arroyo? -- RE: Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am  
**Attachments:** Letter to Todd Kim from Jeffrey Prieto re EPA Recommendation for Briefing in West VA v EPA No. 20-1530 (S Ct -- Amn Lung Assn - ACE Rule) Nov 24 2021.pdf

I thought I'd add few words to Jeff's email below:

# Ex. 5 Attorney Client (AC)

Happy holiday, all.

---

**From:** Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>  
**Sent:** Wednesday, November 24, 2021 10:41 AM

**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>

**Cc:** Hoffman, Howard <hoffman.howard@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>

**Subject:** RE: Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am

Hi Janet, Joe, and Vicki,

Thank you for your expert comments!

# Ex. 5 Attorney Client (AC)

Thank you all for your support on this important step of a yet to be determined process of the Solicitor General making a final decision on how best to proceed.

Jeff

---

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>

**Sent:** Wednesday, November 24, 2021 8:04 AM

**To:** McCabe, Janet <McCabe.Janet@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>

**Cc:** Hoffman, Howard <hoffman.howard@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>; Payne, James (Jim) <payne.james@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>

**Subject:** RE: Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am

Thanks for including me and I'll just say first that OGC is doing a great job in trying to navigate the twists and turns of this very difficult terrain, and we're all grateful for that! I am especially happy that Jeff is now here, and I certainly defer to him and others on the best path forward given the Administrator's decision.

# Ex. 5 Attorney Client (AC)

Hope this helps and that we can all enjoy some real (not virtual) hiking trails and the outdoors this holiday weekend. Happy Thanksgiving!

Best,  
Vicki

---

**From:** McCabe, Janet <[McCabe.Janet@epa.gov](mailto:McCabe.Janet@epa.gov)>

**Sent:** Tuesday, November 23, 2021 8:20 PM

**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Cc:** Hoffman, Howard <[hoffman.howard@epa.gov](mailto:hoffman.howard@epa.gov)>; Arroyo, Victoria <[Arroyo.Victoria@epa.gov](mailto:Arroyo.Victoria@epa.gov)>; Prieto, Jeffrey <[Prieto.Jeffrey@epa.gov](mailto:Prieto.Jeffrey@epa.gov)>; Payne, James (Jim) <[payne.james@epa.gov](mailto:payne.james@epa.gov)>; Srinivasan, Gautam <[Srinivasan.Gautam@epa.gov](mailto:Srinivasan.Gautam@epa.gov)>; Marks, Matthew <[Marks.Matthew@epa.gov](mailto:Marks.Matthew@epa.gov)>

**Subject:** Re: Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am

# Ex. 5 Attorney Client (AC)

Sent from my iPad

On Nov 23, 2021, at 7:19 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

# Ex. 5 Attorney Client (AC)



# Ex. 5 Attorney Client (AC)

Thanks, again, for considering. Feel free not to spend your limited time and energy responding to my comments in the likely event you don't find them useful.

Best,  
Joe

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Hoffman, Howard <[hoffman.howard@epa.gov](mailto:hoffman.howard@epa.gov)>

**Sent:** Monday, November 22, 2021 9:22 PM

**To:** McCabe, Janet <[McCabe.Janet@epa.gov](mailto:McCabe.Janet@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Arroyo, Victoria <[Arroyo.Victoria@epa.gov](mailto:Arroyo.Victoria@epa.gov)>; Prieto, Jeffrey <[Prieto.Jeffrey@epa.gov](mailto:Prieto.Jeffrey@epa.gov)>; Payne, James (Jim) <[payne.james@epa.gov](mailto:payne.james@epa.gov)>

**Cc:** Srinivasan, Gautam <[Srinivasan.Gautam@epa.gov](mailto:Srinivasan.Gautam@epa.gov)>; Marks, Matthew <[Marks.Matthew@epa.gov](mailto:Marks.Matthew@epa.gov)>; Hogan, Stephanie <[Hogan.Stephanie@epa.gov](mailto:Hogan.Stephanie@epa.gov)>; Vijayan, Abi <[Vijayan.Abi@epa.gov](mailto:Vijayan.Abi@epa.gov)>; Jordan, Scott <[Jordan.Scott@epa.gov](mailto:Jordan.Scott@epa.gov)>; Greenglass, Nora <[Greenglass.Nora@epa.gov](mailto:Greenglass.Nora@epa.gov)>; Schramm, Daniel <[Schramm.Daniel@epa.gov](mailto:Schramm.Daniel@epa.gov)>; Garfinkle, Stacey <[garfinkle.stacey@epa.gov](mailto:garfinkle.stacey@epa.gov)>

**Subject:** Time-sensitive: Draft of EPA letter to DOJ Recommending Position for Brief in SCOTUS CPP Repeal/ACE Rule Case -- please review by 11/24/21 10:00am

Attached is a draft of a letter to DOJ and the SG's office describing EPA's recommended position to take in the merits brief for the SCOTUS CPP/ACE Rule case.

# Ex. 5 Attorney Client (AC)

Please note that we drafters are still mid-stream with this letter, and you will see indications of that throughout. But we think that this draft does include the main substantive points.

Howard J. Hoffman USEPA-OGC-ARLO (202) 564-5582(O) (240)-401-9721(C) Room 7415 WJC-North  
Mailing address: Mail Code 7344A, 1200 Pennsylvania Ave. NW Washington, D.C. 20460

The contents of this message may be subject to the attorney-client, work-product, or deliberative process privileges.

<Letter to Todd Kim re EPA position on SCOTUS ACE Rule case\_11-22-21\_9pm jpg.docx>

## Message

**From:** Lance, Kathleen [Lance.Kathleen@epa.gov]  
**Sent:** 12/9/2021 9:18:03 PM  
**To:** Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Cassady, Alison [Cassady.Alison@epa.gov]; Lucey, John [Lucey.John.D@epa.gov]; Arroyo, Victoria [Arroyo.Victoria@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Lin, Walter [lin.walter@epa.gov]; Sasser, Erika [Sasser.Erika@epa.gov]; Jones, Rhea [Jones.Rhea@epa.gov]; Rimer, Kelly [Rimer.Kelly@epa.gov]; Moeller, Michael [moeller.michael@epa.gov]; Woody, Matt [Woody.Matt@epa.gov]; Houyoux, Marc [Houyoux.Marc@epa.gov]; Ndoh, Tina [Ndoh.Tina@epa.gov]; Shrager, Brian [Shrager.Brian@epa.gov]; Howard, Jodi [Howard.Jodi@epa.gov]; Shine, Brenda [Shine.Brenda@epa.gov]; Ward, Hillary [Ward.Hillary@epa.gov]; Moeller, Njeri [Moeller.Njeri@epa.gov]; Benedict, Kristen [Benedict.Kristen@epa.gov]; Terry, Sara [Terry.Sara@epa.gov]; Sarsony, Chris [Sarsony.Chris@epa.gov]; Chan, Elizabeth [Chan.Elizabeth@epa.gov]; Vasu, Amy [Vasu.Amy@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; McCabe, Janet [McCabe.Janet@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]; Shaw, Betsy [Shaw.Betsy@epa.gov]; Noonan, Jenny [Noonan.Jenny@epa.gov]; Lassiter, Penny [Lassiter.Penny@epa.gov]; Wood, Anna [Wood.Anna@epa.gov]  
**CC:** Lance, Kathleen [Lance.Kathleen@epa.gov]; Morgan, Ashley [Morgan.Ashley.M@epa.gov]  
**Subject:** RE: Video-call: EJ and Air Toxics Regulations  
**Attachments:** 2021 12 10 OAR Briefing Memo Risk from Total Air Toxics Identification and Solutions.docx; 2021 12 10 OAR Slide Deck Total\_Air\_Exposure\_Ax briefing\_120221r.pptx

Materials attached for tomorrow's 9:00AM meeting.

-----Original Appointment-----

**From:** scheduling

**Sent:** Tuesday, November 30, 2021 9:26 AM

**To:** scheduling; Tsirigotis, Peter; Utech, Dan; Cassady, Alison; Lucey, John; Arroyo, Victoria; Goffman, Joseph; Carbonell, Tomas; Koerber, Mike; Lin, Walter; Sasser, Erika; Jones, Rhea; Rimer, Kelly; Moeller, Michael; Woody, Matt; Houyoux, Marc; Ndoh, Tina; Shrager, Brian; Howard, Jodi; Shine, Brenda; Ward, Hillary; Moeller, Njeri; Benedict, Kristen; Terry, Sara; Sarsony, Chris; Chan, Elizabeth; Vasu, Amy; Eunjung Kim; Campbell, Ann; McCabe, Janet; Nunez, Alejandra; Shoaff, John; Shaw, Betsy; Noonan, Jenny; Lassiter, Penny; Wood, Anna

**Cc:** Lance, Kathleen

**Subject:** Video-call: EJ and Air Toxics Regulations

**When:** Friday, December 10, 2021 9:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).

**Where:** RTP EPA Office Room A015 / Microsoft Teams Meeting

***Do not forward this invitation. Please notify [scheduling@epa.gov](mailto:scheduling@epa.gov) if participant changes need to be made.***

**In-Person:**

- Administrator Regan
- Joe Goffman
- Peter Tsirigotis
- Mike Koerber
- Walter Lin
- Erika Sasser
- Rhea Jones
- Kelly Rimer
- Mike Moeller
- Matt Woody
- Marc Houyoux
- Tina Ndoh
- Brian Shrager
- Jodi Howard

-Brenda Shine  
-Hillary Ward  
-Njeri Moeller  
-Kristen Benedict  
-Jenny Noonan  
-Penny Lassiter

**Virtual:**

-Dan Utech  
-John Lucey  
-Sara Terry  
-Chris Sarsony  
-Elizabeth Chan  
-Amy Vasu  
-Tomas Carbonell  
-Eunjung Kim  
-John Shoaff  
-Ale Nunez  
-Betsy Shaw  
-Ann Campbell  
-Vicki Arroyo  
-Deputy Administrator Janet McCabe  
-Anna Wood

---

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**Or call in (audio only)**

**Ex. 6 Personal Privacy (PP)** United States, Washington DC

Phone Conference ID: **Ex. 6 Personal Privacy (PP)**

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## Message

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 12/15/2021 1:35:08 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** RE: Pre-Holiday Party Session 12/15 at 3:30  
**Attachments:** TPs on OAR Climate.docx

Isabel pulled this together a couple of weeks ago in response to a request we had from OGC for talkers. I added in the more recent COP points. Given you have 5 minutes, and OAR has an embarrassment of riches, I think this could ably guide your brief presentation during today's Accomplishments session. The one thing missing (aside from something fun or funny) is our voluntary programs piece, off the top of my head, Energy Star and the most recent ARP grants announcement. Please let me know if there is anything that jumps out at you as "missing" and I'll round that up for you.

Ann (Campbell) Ferrio  
 Chief of Staff  
 EPA/Office of Air and Radiation  
 Office: 202 566 1370

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Tuesday, December 14, 2021 5:41 PM  
**To:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** RE: Pre-Holiday Party Session 12/15 at 3:30

Good to know about Tomas/Ale. If you are actually inspired to pull together a list and/or TPs, I would welcome them. Thanks.

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

---

**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Tuesday, December 14, 2021 5:38 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** FW: Pre-Holiday Party Session 12/15 at 3:30

Joe, I'm guessing you haven't had any time to prepare for this. Do you need me to pull together a list/few points for the meeting tomorrow? Tomas, Ale and Eunjung have all been added to the invite now as well.

Ann (Campbell) Ferrio  
 Chief of Staff  
 EPA/Office of Air and Radiation  
 Office: 202 566 1370

---

**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Wednesday, December 8, 2021 9:49 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Frey, Christopher <Frey.Christopher@epa.gov>; Amin, Faisal <Amin.Faisal@epa.gov>; Prieto, Jeffrey <Prieto.Jeffrey@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Niebling, William

<Niebling.William@epa.gov>

**Cc:** Lance, Kathleen <Lance.Kathleen@epa.gov>; Morgan, Ashley <Morgan.Ashley.M@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>; Blythers, Dorian <Blythers.Dorien@epa.gov>

**Subject:** Pre-Holiday Party Session 12/15 at 3:30

Dear Colleagues -

We will gather with the Administrator at 3:30 pm on December 15th in the Alm Room to look back on 2021. A separate invite for this session will go out to all appointees later this week, but I wanted to let this smaller group know about it now so that:

- 1) you can block your calendars
- 2) you can begin to prepare!

What should you prepare? We'll, what we have in mind is to take stock of 2021. But we'd like to try to have some fun with it. So please do not feel the need to do a slide deck. In fact, don't. Just come prepared to speak to two of the questions below. And if you want to spread the presentation out a bit across your respective teams, that might make it extra fun.

We'll have a lot of ground to cover. So please - 5 minutes tops for each program/office!

If you have questions about this that the whole group would benefit from hearing answers to, feel free to reply all. Or ping me separately if you like.

Thanks all. Very much looking forward to celebrating with all of you next week!

Best, Dan

Questions - please choose 2 or make up your own if you can think of better ones

What are the 2-3 accomplishments that you're most proud of?

What surprised you most during the year?

What was most fun?

Was anything (that you can share) funny?

Presenters in no particular order

Administrator

Janet

OAR

OW

OLEM

OCSP

OITA

Science

OCFO

OGC

OP

OPA

OPEEE

OCIR

Message

---

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 9/7/2021 5:32:07 PM  
**To:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]  
**Subject:** OP markup of OAR Statement of Priorities for the Reg Plan  
**Attachments:** OAR Statement of Priorities\_083021-OP-edits.docx

All, wanted to make you aware that OP provided a markup of our Reg Plan narrative in the attached. Please let me know if there are any fatal flaws in the markup.

Thanks!

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

---

**From:** Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>  
**Sent:** Friday, September 3, 2021 5:22 PM  
**To:** Campbell, Ann <Campbell.Ann@epa.gov>; Farrar, Wanda <farrar.wanda@epa.gov>; Shoaff, John <Shoaff.John@epa.gov>; Mcquilkkin, Wendy <Mcquilkkin.Wendy@epa.gov>; Olson, Heather <Olson.Heather@epa.gov>  
**Cc:** Lewis, Josh <Lewis.Josh@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>  
**Subject:** RE: OAR Statement of Priorities

Greetings all,

The AO is reviewing the regulatory plan, and has asked for the written narrative, also known as [the Administrator's] Statement of Regulatory Priorities, to show consistency across programs and authorship, etc. Barring some strange formatting, please see these suggestions in the attached document. Bridgid or I can answer any questions that may arise.

Many thanks,  
Caryn

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

---

**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Monday, August 30, 2021 10:00 AM  
**To:** Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>

**Cc:** Farrar, Wanda <[farrar.wanda@epa.gov](mailto:farrar.wanda@epa.gov)>; Lewis, Josh <[Lewis.Josh@epa.gov](mailto:Lewis.Josh@epa.gov)>; Shoaff, John <[Shoaff.John@epa.gov](mailto:Shoaff.John@epa.gov)>; Mcquilkin, Wendy <[Mcquilkin.Wendy@epa.gov](mailto:Mcquilkin.Wendy@epa.gov)>; Olson, Heather <[Olson.Heather@epa.gov](mailto:Olson.Heather@epa.gov)>

**Subject:** OAR Statement of Priorities

Caryn, please find attached OAR's reg plan statement of priorities for the climate and clean air sections. Please note that pursuant to other discussions we anticipate other rulemakings to come online soon and are likely to need to revise this draft to include some of the new content.

Please let me know if you have any questions. Thanks!

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370



Message

---

**From:** Hoffer, Melissa [Hoffer.Melissa@epa.gov]  
**Sent:** 1/4/2022 9:38:32 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]; Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** RE: MATS

Great, let me know if there is anything you need from us.

---

**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Tuesday, January 4, 2022 4:37 PM  
**To:** Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** RE: MATS

Agree and working on it.

---

**From:** Hoffer, Melissa <Hoffer.Melissa@epa.gov>  
**Sent:** Tuesday, January 4, 2022 4:37 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** MATS

## Ex. 5 Deliberative Process (DP)

Thanks,  
Melissa

Melissa A. Hoffer  
Principal Deputy General Counsel  
U.S. Environmental Protection Agency  
Office of General Counsel  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
T: 202.440.1671  
E: [hoffer.melissa@epa.gov](mailto:hoffer.melissa@epa.gov)

## Message

**From:** Lance, Kathleen [Lance.Kathleen@epa.gov]  
**Sent:** 12/14/2021 2:01:37 PM  
**To:** Cassady, Alison [Cassady.Alison@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Lucey, John [Lucey.John.D@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]; Profeta, Timothy [Profeta.Timothy@epa.gov]; Lassiter, Penny [Lassiter.Penny@epa.gov]; Hutson, Nick [Hutson.Nick@epa.gov]; Noonan, Jenny [Noonan.Jenny@epa.gov]; Ashley, Jackie [Ashley.Jackie@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Birnbaum, Rona [Birnbaum.Rona@epa.gov]; LaCount, Melanie [LaCount.Melanie@epa.gov]; Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Hogan, Stephanie [Hogan.Stephanie@epa.gov]; Hoffman, Howard [hoffman.howard@epa.gov]; Vijayan, Abi [Vijayan.Abi@epa.gov]; Haeuber, Richard [Haeuber.Richard@epa.gov]; Molina, Maggie [Molina.Maggie@epa.gov]; Adamantiades, Mikhail [Adamantiades.Mikhail@epa.gov]; Stenhouse, Jeb [Stenhouse.Jeb@epa.gov]; Kocchi, Suzanne [Kocchi.Suzanne@epa.gov]; Niebling, William [Niebling.William@epa.gov]; Lupinacci, Jean [Lupinacci.Jean@epa.gov]; Bryson, Joe [Bryson.Joe@epa.gov]  
**CC:** McCabe, Janet [McCabe.Janet@epa.gov]; Morgan, Ashley [Morgan.Ashley.M@epa.gov]; Atkinson, Emily [Atkinson.Emily@epa.gov]  
**Subject:** RE: Video-call: Outreach on Climate Rules for the Power Sector  
**Attachments:** 2021 12 14 OAR Outreach on Climate Rules for the Power Sector - Briefing Memo 2.0.docx; 2021 12 14 OAR Outreach on Climate Rules for the Power Sector - Slides.pptx

**UPDATE:** PLEASE USE THE ATTACHED VERSION FOR TODAY'S 3:45PM MEETING.

Kathleen C. Lance  
 Director of Scheduling and Advance  
 U.S. Environmental Protection Agency  
 Cell: (202) 941-1109

**From:** Lance, Kathleen  
**Sent:** Tuesday, December 14, 2021 8:01 AM  
**To:** Cassady, Alison <Cassady.Alison@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; kim.eun@epa.gov; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Profeta, Timothy <Profeta.Timothy@epa.gov>; Lassiter, Penny <Lassiter.Penny@epa.gov>; Hutson, Nick <Hutson.Nick@epa.gov>; Noonan, Jenny <Noonan.Jenny@epa.gov>; Ashley, Jackie <Ashley.Jackie@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Birnbaum, Rona <Birnbaum.Rona@epa.gov>; LaCount, Melanie <lacount.melanie@epa.gov>; Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Hogan, Stephanie <Hogan.Stephanie@epa.gov>; Hoffman, Howard <hoffman.howard@epa.gov>; Vijayan, Abi <Vijayan.Abi@epa.gov>; haeuber.richard@epa.gov; Molina, Maggie <Molina.Maggie@epa.gov>; Adamantiades, Mikhail <Adamantiades.Mikhail@epa.gov>; Stenhouse, Jeb <Stenhouse.Jeb@epa.gov>; Kocchi, Suzanne <Kocchi.Suzanne@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Lupinacci, Jean <Lupinacci.Jean@epa.gov>; Bryson, Joe <Bryson.Joe@epa.gov>  
**Cc:** McCabe, Janet <McCabe.Janet@epa.gov>; Morgan, Ashley <Morgan.Ashley.M@epa.gov>  
**Subject:** RE: Video-call: Outreach on Climate Rules for the Power Sector

Materials attached for the 3:45PM meeting today.

-----Original Appointment-----

**From:** scheduling

**Sent:** Wednesday, November 24, 2021 8:09 AM

**To:** scheduling; Cassady, Alison; Utech, Dan; Lucey, John; Goffman, Joseph; Carbonell, Tomas; Nunez, Alejandra; Campbell, Ann; Hooper, Daniel; Eunjung Kim; Tsirigotis, Peter; Koerber, Mike; Culligan, Kevin; Profeta, Timothy; Lassiter, Penny; Hutson, Nick; Noonan, Jenny; Ashley, Jackie; Grundler, Christopher; Birnbaum, Rona; LaCount, Melanie; Millett, John; DeLuca, Isabel; Srinivasan, Gautam; Marks, Matthew; Hogan, Stephanie; Hoffman, Howard; Vijayan, Abi; Haeuber, Richard; Molina, Maggie; Adamantiades, Mikhail; Stenhouse, Jeb; Kocchi, Suzanne; Niebling, William; Lupinacci, Jean; Bryson, Joe

**Cc:** McCabe, Janet

**Subject:** Video-call: Outreach on Climate Rules for the Power Sector

**When:** Tuesday, December 14, 2021 3:45 PM-4:45 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Microsoft Teams Meeting

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Administrator Regan

Alison Cassady

Dan Utech

John Lucey

Deputy Administrator Janet McCabe – Optional

Virtual:

Joseph Goffman, OAR

Tomás Carbonell, OAR

Alejandra Nunez, OAR

Ann Campbell, OAR

Daniel Hooper, OAR

Eunjung Kim, OAR

Peter Tsirigotis, OAR

Mike Koerber, OAR

Kevin Culligan, OAR

Tim Profeta, OAR

Penny Lassiter, OAR

Nick Hutson, OAR

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Maggie Molina, OAR

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December 27, 2021

Michael Regan, Administrator  
United States Environmental Protection Agency  
Office of the Administrator  
William Jefferson Clinton Federal Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**RE: Temporary Emergency Suspension – Regional Haze 309(g) SIP for PacifiCorp Jim Bridger Power Plant Unit 2.**

Administrator Regan:

I hereby notify you that because of EPA's failure to act on Wyoming's Regional Haze 309(g) State Implementation Plan (SIP) revision for PacifiCorp's Jim Bridger Power Plant Unit 2 within the time prescribed by law, I must exercise my authority under 42 U.S.C. § 7410(g) to prevent the premature closing of Unit 2 and the dire economic impacts resulting therefrom. I hereby issue a temporary emergency suspension of that portion of Wyoming's existing SIP proposed to be revised and requiring additional controls of NOx emissions at Unit 2 by December 31, 2021. *See* 79 Fed. Reg. 5032 (Jan. 30, 2014). This emergency suspension is effective beginning January 1, 2022, and shall continue for the maximum period provided by law. As more fully explained below, Wyoming's proposed SIP revision meets the applicable requirements of Section 7410 of the Clean Air Act (CAA), and this emergency suspension is necessary to prevent Unit 2 from closing for one year or more and to prevent substantial increases in unemployment which would result from such closure.

Background

In 2014, EPA published a final Regional Haze Rule that approved the NOx portion of Wyoming's SIP requiring controls of NOx emissions from the Jim Bridger Power Plant Units 1-4. 79 Fed. Reg. 5032 (Jan 30, 2014). In particular, EPA approved Wyoming's requirement that PacifiCorp install low NOx burners (LNB) and separated overfire air (SOFA) plus selective catalytic reduction (SCR) at Jim Bridger Units 1-4 with NOx emission limits of 0.07 lb/MMBtu (30-day rolling average) as part of the State's Reasonable Progress Long Term Strategy. PacifiCorp installed these control technologies on Units 3 and 4 in 2015 and 2016. PacifiCorp has also installed LNB and SOFA at Units 1 and 2.

Michael Regan, Administrator  
United States Environmental Protection Agency  
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Due to the significant cost of installing SCR at Units 1 and 2, on February 5, 2019, PacifiCorp submitted a Regional Haze Reasonable Progress Reassessment to the State of Wyoming proposing an alternative to installing SCR. This alternative regional haze compliance strategy for the Jim Bridger Power Plant included visibility enhancing emission limits, a four-factor “reasonable progress” analysis, reduced plant-wide month-by-month emissions limits for the two principle haze-causing pollutants, NO<sub>x</sub> and SO<sub>2</sub>, and an annual total emissions cap for both pollutants for all four Units. Before submitting the reassessment to the State, PacifiCorp and the Wyoming Department of Environmental Quality worked cooperatively and directly with EPA to develop the alternative and to address all of EPA’s questions and concerns.

PacifiCorp’s proposed alternative was significantly better than the existing SCR requirement in every possible way. The proposed alternative was far more cost efficient than SCR. In fact, the capital cost of SCR was over \$297 million compared to just over \$16 million for the visibility enhancing emission limits. The visibility enhancing emission limits were also much more cost effective per ton at \$349 per ton removed compared to \$4,744 per ton removed for SCR, resulting in reduced cost to ratepayers during a time of increasing inflation nationally.

Moreover, the visibility enhancing emission limits would actually result in greater visibility improvement than SCR. First, even EPA agreed in 2014 that the visibility benefits from installing SCR in addition to LNB and SOFA at Units 1 and 2 were modest and imperceptible at 0.10 to 0.15 deciviews. Installing SCR would reduce NO<sub>x</sub> emissions from these units by 5,848 tons/year. But even EPA recognizes that it is SO<sub>2</sub>, not NO<sub>x</sub> that is “the predominant cause of regional haze on the Colorado Plateau in the western US.” 79 Fed. Reg. at 5097. By implementing the visibility enhancing emissions limits, the proposed alternative would reduce NO<sub>x</sub> and SO<sub>2</sub> emissions by 6,056 tons/year. Thus the proposed alternative would result in greater visibility improvement than the NO<sub>x</sub> only reductions associated with the installation of SCR. This conclusion was confirmed by updated CALPUFF modeling. Moreover, the plant-wide limit would cap all emissions from the source, including particulate matter, producing additional visibility benefits.

In addition, the proposed alternative had other significant benefits beyond getting better visibility for substantially less money. Implementing the visibility enhancing emission limits would also result in less impacts from mercury, carbon monoxide, carbon dioxide, particulate matter, sulfuric acid, coal consumption, coal combustion residual production and disposal, and raw water consumption. SCR also requires the use and storage of ammonia (a hazardous substance) while the proposed alternative does not. Moreover, SCR uses a significant amount of electricity which could otherwise be put to use elsewhere. The proposed alternative would save 10.4 MW or enough electricity to power approximately 8,761 homes. Finally, because the visibility enhancing emission limits are plant-wide, they provide the entire facility flexibility to “load follow” or accommodate the intermittent influx of renewable energy in the western power grid. Thus, the alternative would make the electricity grid more robust.

Presented with all these advantages, no known disadvantages, and EPA’s buy-in, Wyoming began the SIP revision process. During the public comment period on the revision, EPA submitted minor technical comments, which Wyoming fully addressed. Notably, EPA did not express any

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substantive concerns with the revision, the supporting data, the conclusions drawn from that data, or in any way signal that the revision would not meet the legal requirements of the regional haze program. The science was, and remains, clear. The environmental, social, and economic outcomes of the alternative are superior in every way.

Accordingly, Wyoming determined that the revision ensured reasonable progress as required by the CAA and submitted the revisions to EPA for approval on May 12, 2020. EPA acknowledged receipt of the revised SIP submission on May 14, 2020. EPA then began its formal review process. In fact, it appears that EPA actually finished that process last year. Wyoming was notified on November 23, 2020, that the former Region 8 Administrator, Gregory Sopkin, had signed the proposed action on November 20, 2020, and that Wyoming would be informed when the action would be published in the Federal Register. But that did not happen.

The CAA imposes a nondiscretionary duty on the Administrator to approve or disapprove a SIP revision within twelve months of being deemed complete. 42 U.S.C. § 7410(k)(2). On May 14, 2020, EPA acknowledged receipt of Wyoming's SIP revision. EPA did not make a completeness finding within six months as required by 42 U.S.C. § 7410(k)(1)(B). Thus, Wyoming's SIP revision was deemed complete by operation of law on November 14, 2020. 42 U.S.C. § 7410(k)(1)(B). EPA was required to act on Wyoming's SIP revision within twelve months, or by November 14, 2021, in accordance with 42 U.S.C. § 7410(k)(2)-(3), but failed to do so.

As a result of EPA's inaction, the current SIP requires PacifiCorp to install SCR on Unit 2 by December 31, 2021, which it can not do at this late hour. Thus, in several short days, PacifiCorp will be forced to shut down Unit 2, lay off employees, and buy power to make up for the lost generation. That cost will be passed on to consumers in Wyoming and across the west creating a social and economic injustice. All for no good reason.

#### Temporary Emergency Suspension Authority

As you know, when the EPA Administrator has not approved or disapproved a plan revision within twelve months of submission, the CAA vests the governor of each state with the authority to issue a temporary emergency suspension of the part of the applicable implementation plan which is proposed to be revised. 42 U.S.C. § 7410(g)(1). To exercise this authority, the State must determine that the proposed revision meets the requirements of Section 7410 and "is necessary (i) to prevent the closing for one year or more of any source of air pollution, and (ii) to prevent substantial increases in unemployment which would result from such closing[.]" *Id.*

A temporary emergency suspension remains in effect for a maximum of four months unless disapproved by order of the EPA Administrator. *Id.* at (g)(2). However the EPA Administrator may only disapprove "such suspension if he determines that it does not meet the requirements of this subsection." *Id.*

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Neither the CAA nor any applicable federal regulation specifies a particular procedure or form for an emergency suspension issued under Section 7410. Accordingly, I assert that this notice to you, copied to the owner of the source at issue, is a proper form for the exercise of my authority. Moreover, any perceived procedural deficiency associated with the issuance of this emergency suspension does not provide cause to disapprove the emergency suspension as your disapproval authority is specifically limited by Section 7410.

This emergency suspension meets the requirements of Section 7410(g).

The first two requirements of Section 7410(g) are easily established and beyond dispute. EPA failed to act on Wyoming's proposed revision within twelve months of submission and the State determined that the proposed revision met the requirements of Section 7410 when it submitted the proposed revision. The remaining two requirements relate to the detrimental effects of compliance with the existing SIP. Those effects are immediate, long-term, significant, and in my view, also beyond reasonable dispute.

First, this emergency suspension is necessary to prevent the closing of Unit 2 for twelve months or more. As you know, PacifiCorp's 2021 Integrated Resource Plan filed with the Wyoming Public Service Commission (PSC) reflects the company's intention to continue operation of Units 1 and 2 until 2023 and to convert them to natural gas fueled peaking units in 2024. In light of this intention, it will never make sense for PacifiCorp to install SCR at Unit 2 for the purpose of restarting the Unit for the limited period of time until conversion. Accordingly, if EPA forces Unit 2 to shutdown, it will remain shut down until it can be restarted as a natural gas unit. Thus, the question becomes whether PacifiCorp can reasonably convert Unit 2 to natural gas within the next twelve months. It cannot.

At my suggestion, the Wyoming Public Service Commission (PSC) initiated an investigation into the effects of shutting down Unit 2 at the end of this year as a result of EPA's failure to act on Wyoming's SIP revision. While that investigation remains ongoing, the PSC has already collected a significant amount of data from PacifiCorp. This data includes information about the anticipated length of time before Unit 2 could convert to natural gas. In order to convert to natural gas, a new lateral pipeline to the Jim Bridger power plant will need to be constructed from nearby existing natural gas pipelines. I understand that even accelerating the construction schedule as much as possible, this pipeline could not be constructed until the last quarter of 2023. Accordingly, this emergency suspension is necessary to prevent the closing of Unit 2 for twelve months or more.

Second, this emergency suspension is necessary to prevent substantial increases in unemployment resulting from the shutdown. The Jim Bridger Power Plant employs 302 highly skilled craftsmen, engineers, professionals and managers in the operation of the four coal-fired units. The power plant is staffed with a combination of both union and non-union employees. The power plant is a mine-mouth operation, meaning a reduction in electric power generation results in a corresponding reduction in coal production. Shutting down Unit 2 imperils many of the jobs



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at the plant, at the mines that supply it, with the outside companies that support it, and elsewhere throughout the community.

In light of your stated intention to let the impending compliance deadline come and go without acting on Wyoming's proposed revision, the State of Wyoming asked Professor Timothy J. Considine, Ph.D., Professor of Energy Economics at the University of Wyoming's School of Energy Resources, to study the fiscal and economic impacts resulting from closing Unit 2. A copy of Professor Considine's report is attached hereto for your convenience. As it relates to employment, Professor Considine estimates that shutting down Unit 2 would result in 404 lost jobs state-wide with 327 of those lost jobs occurring in Sweetwater County where the power plant is located. These estimates include direct, indirect, and induced job losses. By any measure within Wyoming and Sweetwater County's small rural economies this represents a substantial increase in unemployment.

The magnitude of the jobs lost resulting from the shutdown of Unit 2 is amply illustrated when translated into lost compensation. Professor Considine estimates that the lost employee compensation for Sweetwater County in 2021 dollars would be in excess of \$30 million plus nearly \$5 million in additional lost employee compensation in the rest of the state annually. This represents a tremendous loss for Wyoming workers and their families.

Of course, a shutdown would also cause other economic losses and adverse effects. Professor Considine estimates that the closure of Unit 2 would result in \$148.6 million annual loss in value added to the State of Wyoming, which is the regional equivalent of gross domestic product. In addition, he estimates a loss in annual tax revenues at the federal, state, and local level of more than \$33 million. Moreover, while the PSC has not yet issued findings related to its ongoing investigation, I understand that the information submitted by PacifiCorp suggests that closure of Unit 2 at the end of the year would result in an increase in both industrial and commercial electricity rates and residential electricity rates. I also fully anticipate that the PSC's investigation will reveal reliability concerns and even the possibility of adverse effects on new renewable generation.

As is readily apparent, this emergency suspension meets all the requirements of Section 7410(g) and it would be irresponsible either for me not to issue it or for you to attempt to disapprove it. The costs are simply too great socially, economically and environmentally to allow Unit 2 to shut down on January 1st.

#### The Status Quo Until May 1, 2022 and Beyond

I want to say a few words about the status quo during the period the emergency suspension is in place. As a precursor to the SIP revision submitted to EPA, PacifiCorp sought and Wyoming granted Permit No. P0025809 attached hereto for your convenience. That permit adopts the substance of the proposed SIP revision and requires PacifiCorp to begin operations in compliance with the proposed SIP revision on January 1, 2022. The Permit establishes:

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monthly-block average pound per hour (lb/hr) NO<sub>x</sub> and SO<sub>2</sub> emissions limits for Units 1-4 (EGU001-EGU004) combined and a 12-month rolling total NO<sub>x</sub> and SO<sub>2</sub> emission limit of 17,500 tons per year (tpy) for Units 1-4 (EGU001-EGU004) combined. This combined set of lb/hr and tpy limits will be enforced in lieu of installation of selective catalytic reduction technology (SCR) on Units 1-2 (EGU001-EGU002), and will effectively decrease the operating capacity of the plant, thereby reducing its emission of haze-causing pollutants, NO<sub>x</sub> and SO<sub>2</sub>.

Accordingly, the environmental benefits associated with Wyoming's proposed SIP revision will begin to accrue on the day this emergency suspension becomes effective. While that is a good thing, it does not solve the problem for the long term. And I cannot solve this problem unilaterally, even with the assistance of the courts. EPA must take action on the proposed SIP revision to solve this problem, and I urge you again to approve the SIP revision immediately.

Alternatively, I previously suggested that EPA could avoid the catastrophic shutdown of Unit 2, by issuing a Federal Implementation Plan (FIP) in conjunction with a disapproval of the proposed SIP revision. I understand that your staff has asserted that EPA does not have that authority where an existing SIP has been approved. I am baffled by that assertion. Section 7410(c)(1)(B) of the CAA expressly provides the Administrator with authority to issue a FIP upon the disapproval of a SIP submission in whole or in part. That section makes no distinction between a plan and a plan revision. Instead it clearly applies to submissions of either kind.

#### Conclusion

I believe the effect of this emergency suspension is clear, but please contact me if you have any questions or concerns. I must again reiterate that unless you act on the proposed SIP revision within the sixty days following my notice to you of November 14, 2021, the State of Wyoming will file suit and seek all available relief from the court. In the meantime, this emergency suspension gives you an opportunity to approve Wyoming's revised SIP. I remain hopeful you will act on that opportunity. I remain willing to engage with you further on this matter.

Sincerely,



Mark Gordon  
Governor of Wyoming

MG:rl:gf

cc: Attorney General Bridget Hill  
Senator John Barrasso  
Senator Cynthia Lummis  
Representative Liz Cheney  
Governor Brad Little

Michael Regan, Administrator  
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Dan Dockstader, President, Wyoming Senate  
Eric Barlow, Speaker, Wyoming House of Representatives  
Christopher Petrie, Chairman, Wyoming Public Service Commission  
Michael Robinson, Deputy Chairman, Wyoming Public Service Commission  
Mary Throne, Commissioner, Wyoming Public Service Commission  
Todd Parfitt, Director, Wyoming Department of Environmental Quality  
Robin Cooley, Director, Wyoming Department of Workforce Services  
Brenda Hensen, Director, Wyoming Department of Revenue  
Randy (Doc) Wendling, Chair, Sweetwater County Commissioners  
Tim Kaumo, Mayor, City of Rock Springs  
Pete Rust, Mayor, City of Green River  
Jim Willox, President, Wyoming County Commissioners Association  
Kathleen Becker, EPA Administrator for Region 8  
Gary Hoogeveen, President and CEO, Rocky Mountain Power  
Lisa A. Grow, President and CEO, IDACORP, Inc. and Idaho Power

**“The Fiscal and Economic Impacts  
of Closing Unit 2 at the Jim Bridger Power Plant”**

by

Timothy J. Considine, Ph.D.  
Professor of Energy Economics  
School of Energy Resources  
University of Wyoming

December 26, 2021

### About the Author

Timothy Considine is a Professor of Energy Economics with the School of Energy Resources and the Department of Economics at the University of Wyoming.

### Acknowledgements

This report was completed under a consulting agreement with the Office of the Wyoming Attorney General. The author is grateful to the State of Wyoming for supporting this project.

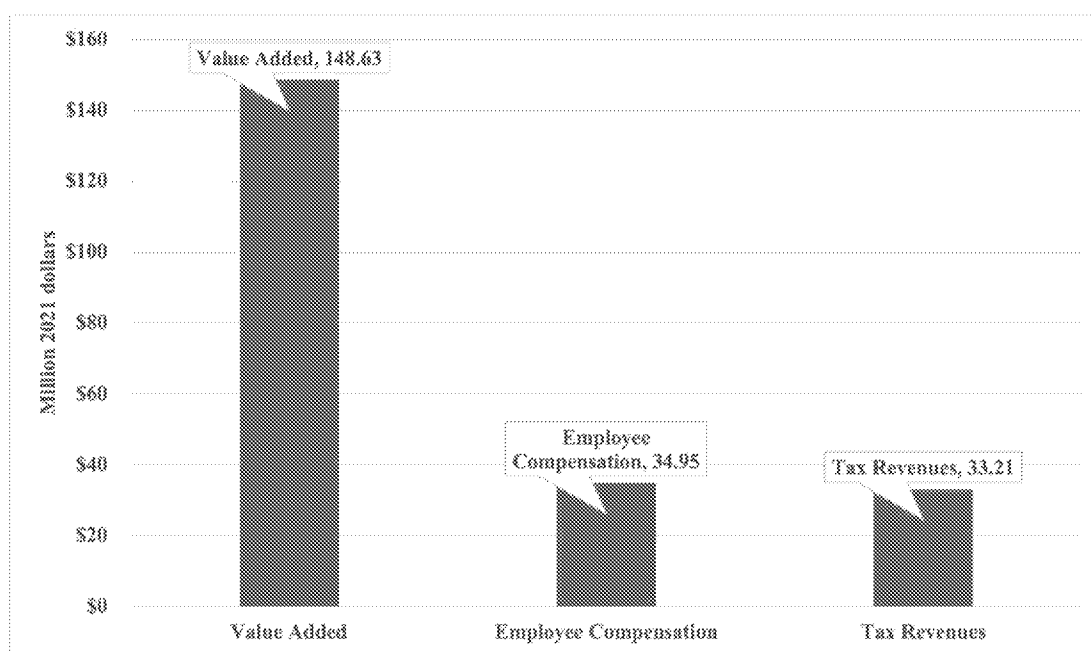
### Disclaimer

The opinions, findings, and conclusions expressed in the report are those of the authors and are not necessarily those of the University of Wyoming, the Office of the Wyoming Attorney General, or the State of Wyoming.

## Executive Summary

This study estimates the economic and fiscal impacts of closing Unit 2 of the Jim Bridger power plant for Sweetwater County, where the plant is located, and for the rest of Wyoming. This study does not estimate the increased costs of electricity to ratepayers, nor the economic costs associated with less electricity reliability that this closure may cause. The impacts estimated in this study include three parts. First, there are the direct economic impacts from lower electric power generation. The second component includes the indirect or supply chain impacts, such as reduced coal production. The third and final economic impact is lower spending on goods and services induced by the lower household and business income from the direct and indirect economic impacts. The total economic impact is the sum of these three components. These economic impacts also affect collections of tax revenues by federal, state, and local governments.

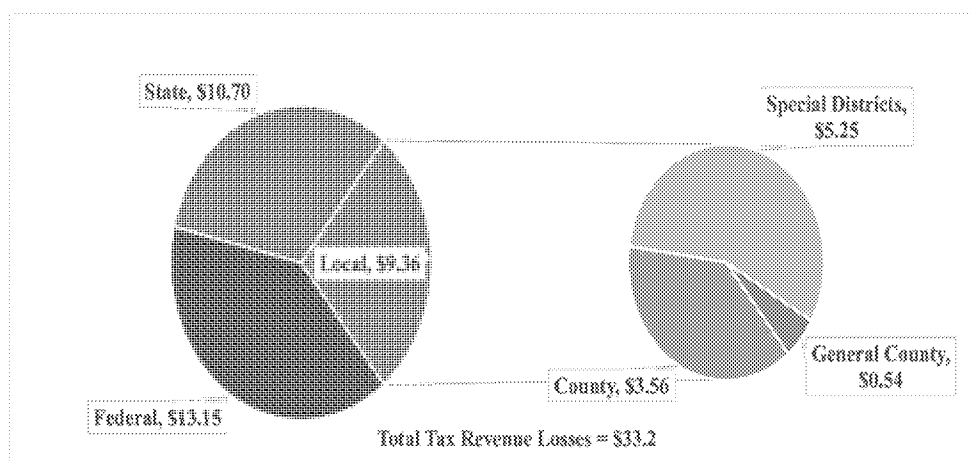
My main findings are as follows. First, closing Unit 2 results in a \$148.6 million loss in value added to the State of Wyoming, which is the regional equivalent of gross domestic product, see Figure ES1. Secondly, closing Unit 2 reduces employee compensation by \$34.9 million, see Figure ES1. Each of these impacts represent annual economic losses. If the plant were to remain open through the end of its expected lifetime in 2028, for example, the opportunity cost of closing Unit 2 increases to \$1.0 billion and \$245 million in cumulative foregone value added and employee compensation respectively.



**Figure ES1: Economic and fiscal losses from closing Unit 2 in million 2021 dollars**

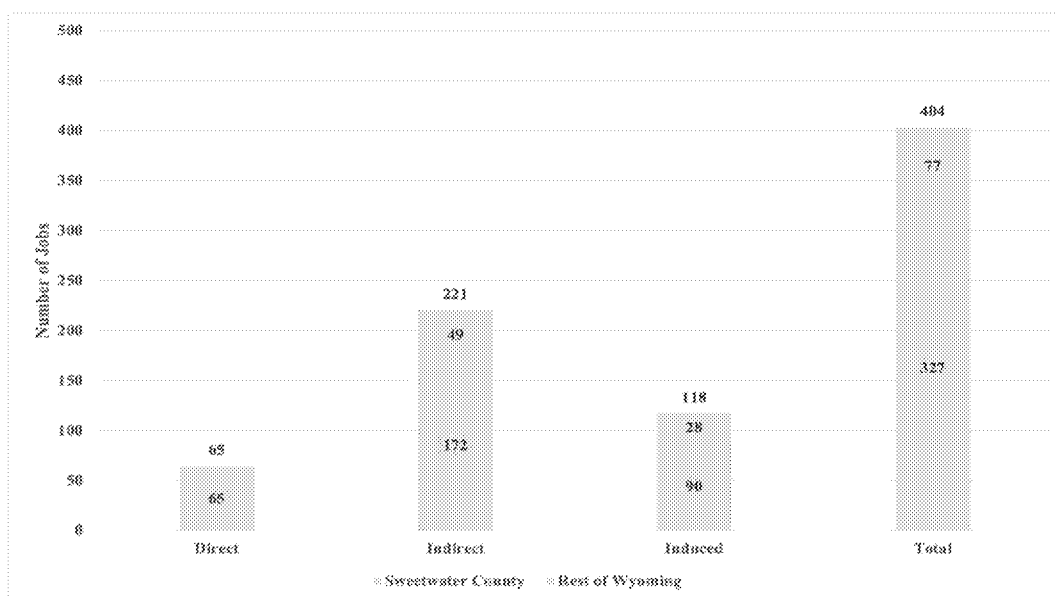
In addition, as Figure ES1 reports, annual tax revenues, which includes payments to federal, state, and local governments, declines \$33.2 million. A breakdown of the tax revenues appears in Figure ES2. Federal tax revenues decline \$13.15 million on an annual basis. Annual tax payments to the State of Wyoming decline \$10.7 million. Tax payments to local governments

decline \$9.36 million with special districts tax revenues declining \$5.25 million, county tax revenues falling \$3.56 million, and general county tax revenues dropping \$540 thousand.



**Figure ES2: Tax revenue losses from closing Unit 2 in million 2021 dollars**

Lower economic output and tax revenues reduce the demand for labor. In Figure ES3, the direct, indirect, and induced employment losses from closing Unit 2 are reported for Sweetwater County and for the rest of Wyoming. Notice that the direct employment impacts include 65 full-time equivalents (FTEs) at the power plant and therefore, only occur in Sweetwater County. The indirect employment losses are 172 FTEs in Sweetwater County, including the loss of 108 coal-mining jobs. Combined with the 90 jobs lost from lower incomes associated with these direct and indirect impacts, closing Unit 2 reduces total employment by 327 in Sweetwater County. Total state employment declines by 404, which includes the losses in Sweetwater, 49 FTEs from indirect impacts and a loss of 28 FTEs from induced impacts in the rest of the state.



**Figure ES3: Employment losses from closing Unit 2**

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## 1. Introduction

The focus of this study, the Unit 2 electric power generator at the Jim Bridger power plant, is one of four units operating at the plant in Point of Rocks, Wyoming, which is 25 miles east of Rock Springs, Wyoming in Sweetwater County. The operator of the plant is PacifiCorp. This study will estimate the economic and fiscal contributions of Unit 2 to the economies of Sweetwater County and the rest of the State of Wyoming. The next section describes the assumptions made and the methods used to estimate these contributions. Section three of this report provides a discussion of these contributions for Sweetwater County, including value added, employee compensation, employment, and tax revenues. The fourth section presents estimates of the spillover contributions to the rest of the state. The fifth section summarizes the impacts for the entire State of Wyoming. The report concludes with a synopsis of the main findings and their implications for regional economic development, environmental policy, and energy security and reliability.

## 2. Definitions and Methodology

This study employs input-output analysis, which is an analytical framework developed by Professor Wassily Leontief in the late 1930s, for which he received the Nobel Prize in Economic Science in 1973. This framework is also known as interindustry analysis, since the fundamental purpose of the input-output framework is to analyze the interdependence of industries in an economy, according to Miller and Blair (2009). This framework is ideal for estimating how purchases by the electric power sector affect supporting industries, such as coal mining, and how these supply-chain relationships determine how events in one industry affect spending by business and households in a regional economy.

This modeling framework has been implemented by IMPLAN (2021) in an online platform that combines extensive databases, economic factors, and multipliers with a refined modeling system that is customizable. IMPLAN provides complete sets of economic accounts for every county and zip code in the United States. These accounts form the backbone for each regional input-output model. This model balances industry inputs with outputs and can be used to determine how these interindustry transactions change in response to an external shock to the regional economy, such as the closure of the Unit 2 electric power generator.

This shock is represented by the change in the value of gross electrical power output. According to the Energy Information Administration (2021), Unit 2 generated 2,956,511 megawatt hours of electricity during 2020, which is the last calendar year with complete data. To estimate gross value, I multiplied the gross value of electricity output for the fossil-fuel electric power sector in Sweetwater County reported by IMPLAN by the share of Unit 2 in total electricity generated by the Jim Bridger plant. Accordingly, the gross value of output from Unit 2 is estimated to be \$151,608,193 for the analysis below. This estimate is conservative and reflects the historic cost-based value of electric power rather than the cost of replacement power, which is substantially greater.<sup>1</sup>

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<sup>1</sup> I originally multiplied Unit 2 generation by the Palo Verde Hub peak price for electricity reported by Bloomberg (2021) from the data collected by the International Commodity Exchange. This approach yields an estimate for gross output from Unit 2 at \$185.1 million.

To avoid double counting of industry impacts, this study conducts an industry contribution analysis (ICA) using the online IMPLAN tools. The ICA provides a more accurate picture of the relative extent and magnitude of the Unit 2 closure event.

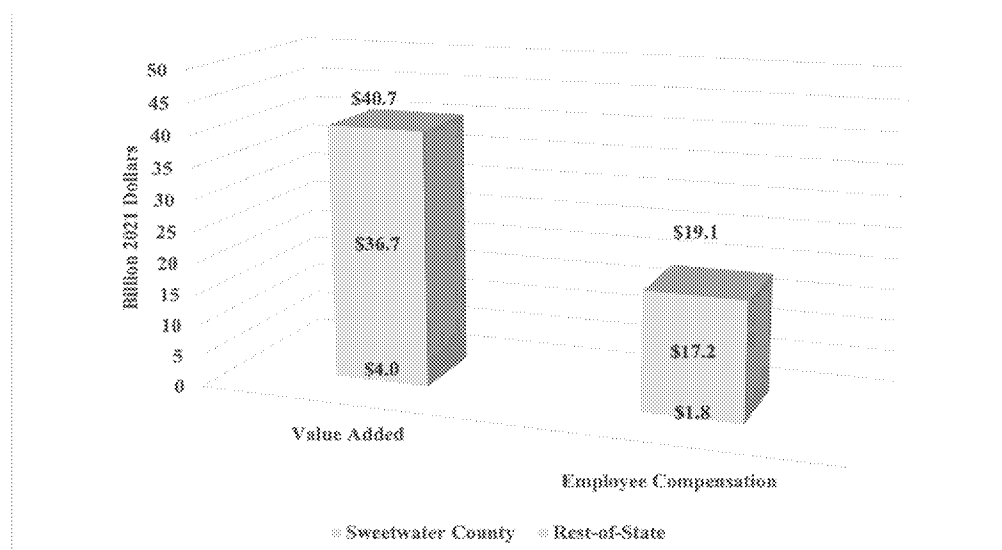
The Jim Bridger power plant is a so-called mine-mouth power plant. For this configuration, coal is transported from the mines to the power generating units via a conveyer belt that is depicted in Figure 1. This somewhat unique arrangement requires a customization of the purchasing coefficients in the default IMPLAN input-output models. Specifically, the regional purchasing parameter is set to 100 percent and the interindustry purchases were rebalanced to reflect the captive nature of the coal mine so that if Unit 2 closes, the coal cannot be sold to another customer. In other words, the reduction in electric power production entails a corresponding reduction in coal production.



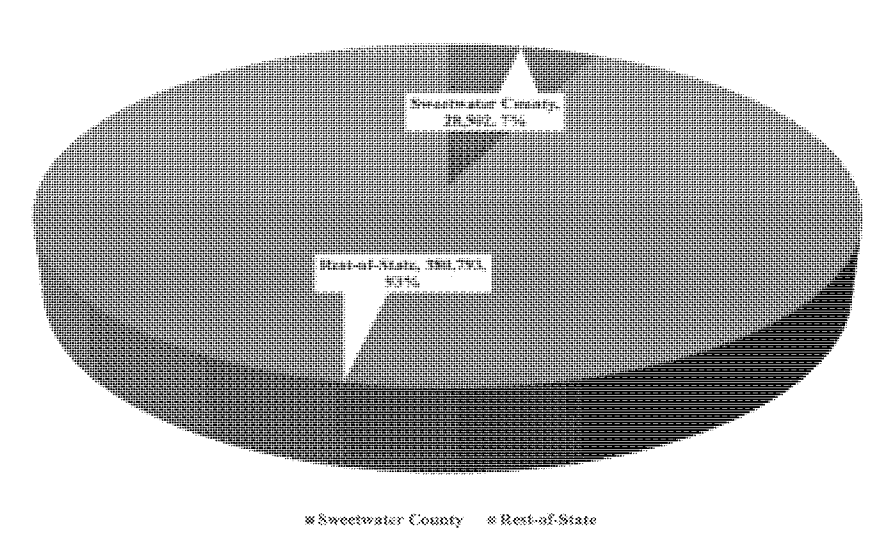
**Figure 1: The Jim Bridger power plant**

With these modifications to the default IMPLAN models for Wyoming, the final decision is to define the scope of the study region, which includes Sweetwater County and the remaining counties in Wyoming. An overview of value added and employee compensation for the study region in 2019 is provided in Figure 2. Total Wyoming value added in 2019 was \$40.7 billion with \$4.0 billion in Sweetwater County and the remaining \$36.7 billion generated in the remaining counties. Employee compensation for the entire State of Wyoming was \$19.1 billion with \$1.8 billion earned in Sweetwater County and the remaining \$17.2 billion earned in the rest of the state. An overview of employment in the study region is presented in Figure 3. Of the 409,295 total state employment, 7% or 28,502 is in Sweetwater County and the remaining 93% or 380,793 is in the rest of the state.

This study conducts a multi-regional input-output analysis that models how the Unit 2 closure would affect the purchases and sales of goods and services within Sweetwater County and between Sweetwater County and the rest of the state. Accordingly, the next three sections present and discuss the economic impacts for Sweetwater County, the rest of the state, and the entire State of Wyoming. These impacts include the direct, indirect, and induced impacts of the plant closure on value added, employee compensation, employment, and tax revenues in each of the three regions. Indirect impacts are essentially supply-chain impacts, such as coal purchases by the power plant and contractor services acquired by the power plant and the coal mine. Induced impacts arise from the spending of income earned from direct and indirect impacts on local goods and services, for example, workers throughout the supply-chain spending their wage and proprietor income to dine at local restaurants.



**Figure 2: Value added in the study region in billion 2021 dollars**



**Figure 3: Employment in the study region**

### 3. Economic and Fiscal Impacts on Sweetwater County

This section reports the estimated losses in value added, employee compensation, employment, and tax revenues for Sweetwater County. The total economic impacts are the sum of the direct, indirect, and induced impacts. For this study, the direct impacts stem from the reduced electricity output from closing Unit 2. The indirect impacts include the reduced purchases of coal and other intermediate inputs purchased by the power plant. Finally, the induced impacts capture the reduced spending on local goods and services that results from lower household and business income. This analysis assumes that prices for local goods and services are unaffected by the closure of Unit 2.

Gross output is equivalent to gross sales and includes purchases of intermediate inputs. Adding changes in gross output across industries due to an industry event, therefore, would double count economic inputs. Instead, economic impact analysis uses changes in value added to estimate total economic impacts. Value added for a particular industry is the difference between gross output and the cost of intermediate inputs, which are purchases from other industries or imports. Value added includes employee compensation, proprietor income, taxes on production and imports, and other property income. In short, value added for an industry is its net contribution to gross domestic product.

IMPLAN reports industry impacts for 546 sectors of the economy. This study aggregates these sectors into the two-digit aggregate industries defined by the North American Industry Classification System (NAICS) in the first column in Table 1. Notice that the value under the direct column in Table 1 for the utilities row is \$47,787,405, which is the change in value added from the utilities sector due to the closure of Unit 2 at the Jim Bridger power plant. Notice that this is lower than the \$151,608,193 of gross value of electricity output from closing Unit 2.

The indirect or supply-chain impacts are reported in column three in Table 1. The largest impact is \$67,859,530 in the mining sector, which includes coal production. This means that the net contribution of coal mining falls by over \$67 million due to the closure of Unit 2. Once again, we are assuming that the captive coal mine cannot sell the coal that would have gone to Unit 2 to another buyer. This is a reasonable assumption because to do so would require capital investments for coal handling and transportation to ship coal to buyers outside of Point of Rocks.

The next largest indirect impacts occur in transportation and warehousing, \$4,105,515, utilities, \$2,282,231, which is primarily electric transmission, wholesale trade, \$1,324,684, and waste management, \$657,841. Real estate and rentals, professional scientific and technical services, government enterprises as well as many other sectors also would be adversely affected by closing Unit 2.

Also reported in Table 1 in column 4 are the induced losses in value added by sector. Unlike the indirect or supply-chain impacts, the sectors hit hardest by the shutdown include real estate, \$3,053,939, retail trade, \$1,024,676, and health care and social assistance, \$810,563, within Sweetwater County. The sectoral allocation of these impacts represents how the local economy would be affected as households and business reduce their spending due to lower incomes in the county after closure of Unit 2.

**Table 1: Lost value added for Sweetwater County in 2021 dollars**

| <b>NAICS Aggregated Industries</b> | <b>Direct</b>       | <b>Indirect</b>     | <b>Induced</b>     | <b>Total</b>         |
|------------------------------------|---------------------|---------------------|--------------------|----------------------|
| Ag, Forestry, Fish & Hunting       | \$0                 | \$1,652             | \$2,967            | \$4,619              |
| Mining                             | \$0                 | \$67,859,530        | \$31,984           | \$67,891,514         |
| Utilities                          | \$47,787,405        | \$2,282,231         | \$95,355           | \$50,164,992         |
| Construction                       | \$0                 | \$216,698           | \$87,543           | \$304,241            |
| Manufacturing                      | \$0                 | \$59,437            | \$1,203            | \$60,640             |
| Wholesale Trade                    | \$0                 | \$1,324,684         | \$283,601          | \$1,608,285          |
| Retail trade                       | \$0                 | \$169,532           | \$1,024,676        | \$1,194,208          |
| Transportation & Warehousing       | \$0                 | \$4,105,515         | \$205,274          | \$4,310,789          |
| Information                        | \$0                 | \$71,007            | \$94,541           | \$165,549            |
| Finance & insurance                | \$0                 | \$218,116           | \$323,053          | \$541,169            |
| Real estate & rental               | \$0                 | \$719,950           | \$3,053,939        | \$3,773,889          |
| Professional- scientific & tech    | \$0                 | \$421,081           | \$132,901          | \$553,982            |
| Management of companies            | \$0                 | \$221,453           | \$35,464           | \$256,916            |
| Waste Management                   | \$0                 | \$657,841           | \$107,704          | \$765,545            |
| Educational Services               | \$0                 | \$3,092             | \$55,934           | \$59,025             |
| Health Care and Social Assistance  | \$0                 | \$4                 | \$810,563          | \$810,567            |
| Arts, entertainment & recreation   | \$0                 | \$3,928             | \$89,962           | \$93,890             |
| Accommodation & food services      | \$0                 | \$90,857            | \$670,777          | \$761,634            |
| Other services                     | \$0                 | \$100,865           | \$459,823          | \$560,688            |
| Government Enterprises             | \$0                 | \$152,534           | \$83,366           | \$235,900            |
| <b>Total</b>                       | <b>\$47,787,405</b> | <b>\$78,680,007</b> | <b>\$7,650,630</b> | <b>\$134,118,042</b> |

The total losses of value added by sector in Sweetwater County from closing Unit 2 are reported the last column of Table 1. Notice that the loss of value added in utilities and the mining sector are \$50,164,992 and \$67,891,514 respectively. These two sectors alone account for 88% of the total loss in value added of \$134,118,942. The loss of value added in the transportation and warehousing sector is the next largest at \$4,310,789. The real estate sector loses \$3,773,889 in value added. Losses in value added exceed \$1 million in the wholesale and retail trade, while losses in waste management, health care and social assistance, and accommodation and food services are between \$761 and \$810 thousand.

The changes in employee compensation are reported in Table 2. Employee compensation is fully loaded payroll or the total payroll cost of wage and salary employees to the employer, including wages and salaries, all benefits such as health and retirement, and payroll taxes. The direct payroll loss in the utility sector from closing Unit 2 is \$10,114,444. Employee compensation in mining declines by \$13,499,151. Induced impacts are reported in column three of Table 2. Total employee compensation in Sweetwater County declines \$30,483,345 with 80 percent of this decline occurring in the utility and mining sectors.

The impacts on employment are reported in Table 3. Total employment losses in the utility sector are 65 full-time equivalent jobs, see column 1 in Table 3. The loss in mining employment is estimated to be 108 FTEs. Total indirect job losses are 172 FTEs and induced job losses are 90. Hence, the total loss in employment in Sweetwater County is 327 FTEs. Dividing the loss of 327 in total employment by the direct loss of 65 jobs in the utility sector plus the closely related 108 lost coal-mining jobs implies a multiplier of 1.89, which means that for every job lost from shutting down Unit 2, almost 2 total jobs are lost, which is conservative.

**Table 2: Lost employee compensation for Sweetwater County in 2021 dollars**

| NAICS Aggregated Industries       | Direct              | Indirect            | Induced            | Total               |
|-----------------------------------|---------------------|---------------------|--------------------|---------------------|
| Ag, Forestry, Fish & Hunting      | \$0                 | \$965               | \$1,711            | \$2,676             |
| Mining                            | \$0                 | \$13,499,151        | \$9,444            | \$13,508,594        |
| Utilities                         | \$10,114,444        | \$766,408           | \$34,351           | \$10,915,203        |
| Construction                      | \$0                 | \$108,747           | \$45,657           | \$154,404           |
| Manufacturing                     | \$0                 | \$36,523            | \$651              | \$37,174            |
| Wholesale Trade                   | \$0                 | \$484,780           | \$131,011          | \$615,791           |
| Retail trade                      | \$0                 | \$72,197            | \$572,030          | \$644,227           |
| Transportation & Warehousing      | \$0                 | \$1,110,332         | \$143,513          | \$1,253,845         |
| Information                       | \$0                 | \$23,945            | \$30,652           | \$54,597            |
| Finance & insurance               | \$0                 | \$124,777           | \$175,580          | \$300,357           |
| Real estate & rental              | \$0                 | \$222,766           | \$54,998           | \$277,764           |
| Professional- scientific & tech   | \$0                 | \$274,006           | \$88,516           | \$362,521           |
| Management of companies           | \$0                 | \$164,848           | \$26,399           | \$191,246           |
| Waste Management                  | \$0                 | \$412,428           | \$73,032           | \$485,459           |
| Educational Services              | \$0                 | \$2,101             | \$39,334           | \$41,434            |
| Health Care and Social Assistance | \$0                 | \$3                 | \$641,717          | \$641,720           |
| Arts, entertainment & recreation  | \$0                 | \$1,302             | \$34,340           | \$35,642            |
| Accommodation & food services     | \$0                 | \$61,892            | \$430,995          | \$492,887           |
| Other services                    | \$0                 | \$65,477            | \$250,071          | \$315,548           |
| Government Enterprises            | \$0                 | \$93,832            | \$58,421           | \$152,254           |
| <b>Total</b>                      | <b>\$10,114,444</b> | <b>\$17,526,478</b> | <b>\$2,842,423</b> | <b>\$30,483,345</b> |

**Table 3: Lost employment for Sweetwater County in 2021 dollars**

| NAICS Aggregated Industries       | Direct    | Indirect   | Induced   | Total      |
|-----------------------------------|-----------|------------|-----------|------------|
| Ag, Forestry, Fish & Hunting      | 0         | 0          | 0         | 0          |
| Mining                            | 0         | 108        | 0         | 108        |
| Utilities                         | 65        | 5          | 0         | 71         |
| Construction                      | 0         | 2          | 1         | 3          |
| Manufacturing                     | 0         | 0          | 0         | 0          |
| Wholesale Trade                   | 0         | 8          | 2         | 10         |
| Retail trade                      | 0         | 3          | 20        | 23         |
| Transportation & Warehousing      | 0         | 12         | 3         | 15         |
| Information                       | 0         | 0          | 1         | 1          |
| Finance & insurance               | 0         | 3          | 5         | 7          |
| Real estate & rental              | 0         | 5          | 5         | 10         |
| Professional- scientific & tech   | 0         | 5          | 2         | 7          |
| Management of companies           | 0         | 1          | 0         | 2          |
| Waste Management                  | 0         | 12         | 2         | 14         |
| Educational Services              | 0         | 0          | 1         | 1          |
| Health Care and Social Assistance | 0         | 0          | 16        | 16         |
| Arts, entertainment & recreation  | 0         | 0          | 2         | 3          |
| Accommodation & food services     | 0         | 3          | 21        | 24         |
| Other services                    | 0         | 1          | 8         | 9          |
| Government Enterprises            | 0         | 1          | 1         | 2          |
| <b>Total</b>                      | <b>65</b> | <b>172</b> | <b>90</b> | <b>327</b> |

With lower economic output and employment from closing Unit 2, tax revenues decline. Table 4 presents the IMPLAN model estimates of these losses in tax revenues. Federal tax revenues decline \$11,623,589, see the top panel of Table 4. Federal personal tax revenues decline \$3,441,724 and employee and employer contributions for social security are \$2,513,520 and \$1,815,681 lower respectively. State tax revenue losses are nearly \$9.5 million with most of these losses coming from lower sales and severance tax revenues of \$4,107,204 and \$3,238,258 respectively. Tax revenues for Sweetwater County and its special districts decline \$8.7 million with 86.6 percent of this loss coming from reduced property taxes, which include ad valorem taxes on mineral and industrial properties.

**Table 4: Lost tax revenue for Sweetwater County in 2021 dollars**

|                           | <i>Employees &amp;<br/>Proprietors</i> | <i>Production &amp;<br/>Imports</i> | <i>Households<br/>&amp; Business</i> | <i>Total</i>        |
|---------------------------|----------------------------------------|-------------------------------------|--------------------------------------|---------------------|
| <b>Federal</b>            |                                        |                                     |                                      |                     |
| Social Ins. Tax- Employee | \$2,513,520                            |                                     |                                      | \$2,513,520         |
| Social Ins. Tax- Employer | \$1,815,681                            |                                     |                                      | \$1,815,681         |
| Excise Taxes              |                                        | \$944,044                           |                                      | \$944,044           |
| Custom Duty               |                                        | \$765,179                           |                                      | \$765,179           |
| Corporate Profits Tax     |                                        |                                     | \$2,143,441                          | \$2,143,441         |
| Personal Tax: Income Tax  |                                        |                                     | \$3,441,724                          | \$3,441,724         |
| Sub-total                 | \$4,329,201                            | \$1,709,224                         | \$5,585,165                          | \$11,623,589        |
| <b>State</b>              |                                        |                                     |                                      |                     |
| Social Ins. Tax- Employee | \$138,594                              |                                     |                                      | \$138,594           |
| Social Ins. Tax- Employer | \$212,010                              |                                     |                                      | \$212,010           |
| Sales Tax                 |                                        | \$4,107,204                         |                                      | \$4,107,204         |
| Property Tax              |                                        | \$1,105,460                         |                                      | \$1,105,460         |
| Motor Vehicle License     |                                        | \$158,919                           |                                      | \$158,919           |
| Severance Tax             |                                        | \$3,238,258                         |                                      | \$3,238,258         |
| Other Taxes               |                                        | \$300,693                           | \$209,388                            | \$510,081           |
| Sub-total                 | \$350,604                              | \$8,910,534                         | \$209,388                            | \$9,470,526         |
| <b>County</b>             |                                        |                                     |                                      |                     |
| Sales Tax                 |                                        | \$752,484                           |                                      | \$752,484           |
| Property Tax              |                                        | \$2,506,320                         |                                      | \$2,506,320         |
| Motor Vehicle License     |                                        | \$40,451                            |                                      | \$40,451            |
| Other Taxes               |                                        |                                     | \$27,445                             | \$27,445            |
| Sub-total                 |                                        | \$3,299,255                         | \$27,445                             | \$3,326,700         |
| <b>Special Districts</b>  |                                        |                                     |                                      |                     |
| Sales Tax                 |                                        |                                     |                                      |                     |
| Property Tax              |                                        | \$4,749,607                         |                                      | \$4,749,607         |
| Other Taxes               |                                        | \$89,624                            | \$31,672                             | \$121,296           |
| Sub-total                 |                                        | \$4,839,231                         | \$31,672                             | \$4,870,903         |
| <b>General County</b>     |                                        |                                     |                                      |                     |
| Sales Tax                 |                                        | \$77,144                            |                                      | \$77,144            |
| Property Tax              |                                        | \$278,444                           |                                      | \$278,444           |
| Other Taxes               |                                        | \$144,844                           | \$1,857                              | \$146,701           |
| Sub-total                 |                                        | \$500,432                           | \$1,857                              | \$502,289           |
| <b>Government Totals</b>  | <b>\$4,679,805</b>                     | <b>\$19,258,676</b>                 | <b>\$5,855,527</b>                   | <b>\$29,794,008</b> |

#### 4. Economic and Fiscal Impacts on the Rest of the State

The economic impacts on the rest of the state only include indirect and induced effects from trade between Sweetwater County and other counties in Wyoming. These impacts are reported in the next four tables. The total impact of closing Unit 2 on value added for the rest of the state is \$14.5 million with \$12.2 of this arising from indirect or supply-chain impacts and the remaining \$2.3 induced by changes in household and business income, see Table 5. The largest impacts occur in the mining, utility, transportation and warehousing, real estate and rentals, and government enterprises. These impacts are much smaller than those estimated for Sweetwater County.

**Table 5: Value added losses for rest of state in 2021 dollars**

| NAICS Aggregated Industries       | Indirect            | Induced            | Total               |
|-----------------------------------|---------------------|--------------------|---------------------|
| Ag, Forestry, Fish & Hunting      | \$31,615            | \$4,023            | \$35,638            |
| Mining                            | \$5,724,283         | \$16,014           | \$5,740,297         |
| Utilities                         | \$1,071,662         | \$39,564           | \$1,111,226         |
| Construction                      | \$158,299           | \$25,033           | \$183,332           |
| Manufacturing                     | \$644,291           | \$24,088           | \$668,379           |
| Wholesale Trade                   | \$326,590           | \$69,959           | \$396,550           |
| Retail trade                      | \$42,687            | \$247,794          | \$290,481           |
| Transportation & Warehousing      | \$1,612,329         | \$69,229           | \$1,681,558         |
| Information                       | \$81,148            | \$55,961           | \$137,110           |
| Finance & insurance               | \$165,351           | \$163,418          | \$328,769           |
| Real estate & rental              | \$218,411           | \$720,567          | \$938,978           |
| Professional- scientific & tech   | \$624,568           | \$76,594           | \$701,161           |
| Management of companies           | \$41,156            | \$7,132            | \$48,288            |
| Waste Management                  | \$166,067           | \$48,732           | \$214,799           |
| Educational Services              | \$604               | \$15,988           | \$16,592            |
| Health Care and Social Assistance | \$21                | \$322,595          | \$322,615           |
| Arts, entertainment & recreation  | \$7,695             | \$37,778           | \$45,473            |
| Accommodation & food services     | \$27,925            | \$146,962          | \$174,887           |
| Other services                    | \$44,400            | \$132,744          | \$177,144           |
| Government Enterprises            | \$1,247,722         | \$54,037           | \$1,301,759         |
| <b>Total</b>                      | <b>\$12,236,825</b> | <b>\$2,278,213</b> | <b>\$14,515,038</b> |

Employee compensation in the rest of the state follows the same pattern across sectors as the decline in value added, see Table 6. Total employee compensation declines \$4.5 million, see Table 6. The largest losses occur in mining, government enterprises, utilities, and professional scientific and technical services.

Employment in the rest of the state declines by 77 FTEs with 49 arising from supply chain impacts and the remaining 28 lost FTEs induced by lower income, see Table 7. The largest, although modest in absolute terms, employment losses are in the mining, utilities, transportation and warehousing, scientific and professional services, and government enterprises.

Lost tax revenues in the rest of the state are reported in Table 8. The IMPLAN model estimates total lost tax revenues in the rest of the state are \$3.4 million, much smaller than the \$29.8 million in Sweetwater County.



**Table 6: Losses of employee compensation for rest of state in 2021 dollars**

| NAICS Aggregated Industries       | Indirect    | Induced   | Total       |
|-----------------------------------|-------------|-----------|-------------|
| Ag, Forestry, Fish & Hunting      | \$6,135     | \$1,513   | \$7,647     |
| Mining                            | \$1,252,045 | \$3,672   | \$1,255,717 |
| Utilities                         | \$355,921   | \$13,248  | \$369,169   |
| Construction                      | \$75,796    | \$12,268  | \$88,064    |
| Manufacturing                     | \$198,064   | \$8,592   | \$206,656   |
| Wholesale Trade                   | \$96,452    | \$31,313  | \$127,765   |
| Retail trade                      | \$17,397    | \$132,037 | \$149,434   |
| Transportation & Warehousing      | \$253,766   | \$37,516  | \$291,282   |
| Information                       | \$28,337    | \$19,122  | \$47,458    |
| Finance & insurance               | \$88,929    | \$89,635  | \$178,564   |
| Real estate & rental              | \$44,904    | \$19,083  | \$63,987    |
| Professional- scientific & tech   | \$291,116   | \$41,795  | \$332,911   |
| Management of companies           | \$35,905    | \$6,222   | \$42,126    |
| Waste Management                  | \$107,981   | \$32,318  | \$140,299   |
| Educational Services              | \$436       | \$12,620  | \$13,055    |
| Health Care and Social Assistance | \$15        | \$256,211 | \$256,227   |
| Arts, entertainment & recreation  | \$2,243     | \$15,965  | \$18,208    |
| Accommodation & food services     | \$18,671    | \$95,482  | \$114,153   |
| Other services                    | \$28,135    | \$80,700  | \$108,835   |
| Government Enterprises            | \$627,509   | \$32,431  | \$659,941   |
| Total                             | \$3,529,755 | \$941,744 | \$4,471,498 |

**Table 7: Lost employment for rest of state in 2021 dollars**

| NAICS Aggregated Industries       | Indirect | Induced | Total |
|-----------------------------------|----------|---------|-------|
| Ag, Forestry, Fish & Hunting      | 0        | 0       | 0     |
| Mining                            | 14       | 0       | 14    |
| Utilities                         | 3        | 0       | 3     |
| Construction                      | 2        | 0       | 2     |
| Manufacturing                     | 1        | 0       | 1     |
| Wholesale Trade                   | 1        | 0       | 2     |
| Retail trade                      | 1        | 5       | 6     |
| Transportation & Warehousing      | 4        | 1       | 4     |
| Information                       | 1        | 0       | 1     |
| Finance & insurance               | 2        | 3       | 5     |
| Real estate & rental              | 2        | 2       | 4     |
| Professional- scientific & tech   | 6        | 1       | 7     |
| Management of companies           | 1        | 0       | 1     |
| Waste Management                  | 3        | 1       | 4     |
| Educational Services              | 0        | 0       | 1     |
| Health Care and Social Assistance | 0        | 5       | 5     |
| Arts, entertainment & recreation  | 0        | 1       | 1     |
| Accommodation & food services     | 1        | 4       | 5     |
| Other services                    | 1        | 3       | 3     |
| Government Enterprises            | 7        | 0       | 7     |
| Total                             | 49       | 28      | 77    |

**Table 8: Lost tax revenues for rest of state in 2021 dollars**

| <b>Federal</b>            | <i>Employees &amp;<br/>Proprietors</i> | <i>Production &amp;<br/>Imports</i> | <i>Households<br/>&amp; Business</i> | <i>Total</i>       |
|---------------------------|----------------------------------------|-------------------------------------|--------------------------------------|--------------------|
| Social Ins. Tax- Employee | \$390,309                              |                                     |                                      | \$390,309          |
| Social Ins. Tax- Employer | \$292,864                              |                                     |                                      | \$292,864          |
| Excise Taxes              |                                        | \$78,048                            |                                      | \$78,048           |
| Custom Duty               |                                        | \$63,261                            |                                      | \$63,261           |
| Corporate Profits Tax     |                                        |                                     | \$184,091                            | \$184,091          |
| Personal Tax: Income Tax  |                                        |                                     | \$522,259                            | \$522,259          |
| Sub-total                 | \$683,173                              | \$141,309                           | \$706,350                            | \$1,530,832        |
| <b>State</b>              |                                        |                                     |                                      |                    |
| Social Ins. Tax- Employee | \$20,443                               |                                     |                                      | \$20,443           |
| Social Ins. Tax- Employer | \$31,272                               |                                     |                                      | \$31,272           |
| Sales Tax                 |                                        | \$525,659                           |                                      | \$525,659          |
| Property Tax              |                                        | \$141,532                           |                                      | \$141,532          |
| Motor Vehicle License     |                                        | \$20,346                            |                                      | \$20,346           |
| Severance Tax             |                                        | \$414,593                           |                                      | \$414,593          |
| Other Taxes               |                                        | \$38,498                            | \$32,935                             | \$71,432           |
| Sub-total                 | \$51,716                               | \$1,140,628                         | \$32,935                             | \$1,225,278        |
| <b>County</b>             |                                        |                                     |                                      |                    |
| Sales Tax                 |                                        | \$50,488                            |                                      | \$50,488           |
| Property Tax              |                                        | \$175,199                           |                                      | \$175,199          |
| Motor Vehicle License     |                                        | \$2,726                             |                                      | \$2,726            |
| Other Taxes               |                                        | \$5,031                             | \$2,929                              | \$7,960            |
| Sub-total                 |                                        | \$233,444                           | \$2,929                              | \$236,373          |
| <b>Special Districts</b>  |                                        |                                     |                                      |                    |
| Sales Tax                 |                                        | \$783                               |                                      | \$783              |
| Property Tax              |                                        | \$363,763                           |                                      | \$363,763          |
| Other Taxes               |                                        | \$13,706                            | \$2,690                              | \$16,396           |
| Sub-total                 |                                        | \$378,252                           | \$2,690                              | \$380,942          |
| <b>General County</b>     |                                        |                                     |                                      |                    |
| Sales Tax                 |                                        | \$13,521                            |                                      | \$13,521           |
| Property Tax              |                                        | \$20,822                            |                                      | \$20,822           |
| Other Taxes               |                                        | \$7,096                             | \$153                                | \$7,248            |
| Sub-total                 |                                        | \$41,439                            | \$153                                | \$41,591           |
| <b>Government Totals</b>  | <b>\$734,889</b>                       | <b>\$1,935,071</b>                  | <b>\$745,057</b>                     | <b>\$3,415,016</b> |

## 5. Total State Economic and Fiscal Impacts

This section simply provides summary tables for the economic and fiscal impacts for the entire State of Wyoming. The closure of Unit 2 reduces state-wide value added by \$148.6 million with \$51.3 and \$73.6 million from the utility and mining sectors respectively, see Table 9. Value added declines \$6 million in transportation and warehousing and \$4.7 million in the real estate and rental sector. The next largest losses occur in wholesale trade with \$2 million, government enterprises at \$1.5 million, retail trade at \$1.5 million, professional scientific and professional services at \$1.3 million, and \$1 million from the waste management sector.

**Table 9: State-wide lost value added in 2021 dollars**

| NAICS Aggregated Industries       | Direct              | Indirect            | Induced            | Total                |
|-----------------------------------|---------------------|---------------------|--------------------|----------------------|
| Ag, Forestry, Fish & Hunting      | \$0                 | \$33,267            | \$6,990            | \$40,257             |
| Mining                            | \$0                 | \$73,583,813        | \$47,998           | \$73,631,811         |
| Utilities                         | \$47,787,405        | \$3,353,893         | \$134,919          | \$51,276,218         |
| Construction                      | \$0                 | \$374,997           | \$112,576          | \$487,573            |
| Manufacturing                     | \$0                 | \$703,728           | \$25,291           | \$729,019            |
| Wholesale Trade                   | \$0                 | \$1,651,274         | \$353,560          | \$2,004,835          |
| Retail trade                      | \$0                 | \$212,219           | \$1,272,470        | \$1,484,689          |
| Transportation & Warehousing      | \$0                 | \$5,717,844         | \$274,504          | \$5,992,348          |
| Information                       | \$0                 | \$152,156           | \$150,502          | \$302,658            |
| Finance & insurance               | \$0                 | \$383,467           | \$486,470          | \$869,937            |
| Real estate & rental              | \$0                 | \$938,361           | \$3,774,507        | \$4,712,868          |
| Professional- scientific & tech   | \$0                 | \$1,045,648         | \$209,495          | \$1,255,143          |
| Management of companies           | \$0                 | \$262,609           | \$42,596           | \$305,204            |
| Waste Management                  | \$0                 | \$823,909           | \$156,436          | \$980,344            |
| Educational Services              | \$0                 | \$3,696             | \$71,922           | \$75,617             |
| Health Care and Social Assistance | \$0                 | \$25                | \$1,133,158        | \$1,133,183          |
| Arts, entertainment & recreation  | \$0                 | \$11,623            | \$127,741          | \$139,363            |
| Accommodation & food services     | \$0                 | \$118,782           | \$817,740          | \$936,521            |
| Other services                    | \$0                 | \$145,265           | \$592,567          | \$737,832            |
| Government Enterprises            | \$0                 | \$1,400,256         | \$137,403          | \$1,537,660          |
| <b>Total</b>                      | <b>\$47,787,405</b> | <b>\$90,916,832</b> | <b>\$9,928,843</b> | <b>\$148,633,080</b> |

Employee compensation in the State of Wyoming declines \$34.9 million with \$10.1 million coming directly from the utility sector, another \$21 million from reduced business activity in the supply chain, and the remaining \$3.8 million induced by lower spending in the economy from lower wage, salary, and proprietor income, see Table 10.

Nearly 75 percent of the losses in employee compensation are from losses in the utility and mining sectors. The corresponding losses in employment are 74 and 122 FTEs respectively in these two sectors. Dividing the loss in employee compensation by the loss the employment indicates that the lost average employee compensation per FTE for these two sectors are \$121,019 and \$152,492 for the mining and utility sectors respectively. Total employment losses are 404 with 65 from direct impacts, 221 from indirect effects, and 118 from induced impacts, see Table 11.

**Table 10: State-wide lost employee compensation in 2021 dollars**

| NAICS Aggregated Industries       | Direct       | Indirect     | Induced     | Total        |
|-----------------------------------|--------------|--------------|-------------|--------------|
| Ag, Forestry, Fish & Hunting      | \$0          | \$7,099      | \$3,224     | \$10,323     |
| Mining                            | \$0          | \$14,751,196 | \$13,116    | \$14,764,312 |
| Utilities                         | \$10,114,444 | \$1,122,328  | \$47,599    | \$11,284,372 |
| Construction                      | \$0          | \$184,543    | \$57,925    | \$242,468    |
| Manufacturing                     | \$0          | \$234,587    | \$9,243     | \$243,830    |
| Wholesale Trade                   | \$0          | \$581,231    | \$162,324   | \$743,555    |
| Retail trade                      | \$0          | \$89,594     | \$704,067   | \$793,661    |
| Transportation & Warehousing      | \$0          | \$1,364,098  | \$181,029   | \$1,545,127  |
| Information                       | \$0          | \$52,282     | \$49,774    | \$102,056    |
| Finance & insurance               | \$0          | \$213,706    | \$265,216   | \$478,921    |
| Real estate & rental              | \$0          | \$267,669    | \$74,082    | \$341,751    |
| Professional- scientific & tech   | \$0          | \$565,121    | \$130,311   | \$695,432    |
| Management of companies           | \$0          | \$200,752    | \$32,621    | \$233,373    |
| Waste Management                  | \$0          | \$520,409    | \$105,350   | \$625,758    |
| Educational Services              | \$0          | \$2,536      | \$51,954    | \$54,490     |
| Health Care and Social Assistance | \$0          | \$18         | \$897,929   | \$897,947    |
| Arts, entertainment & recreation  | \$0          | \$3,545      | \$50,305    | \$53,850     |
| Accommodation & food services     | \$0          | \$80,564     | \$526,477   | \$607,040    |
| Other services                    | \$0          | \$93,611     | \$330,771   | \$424,382    |
| Government Enterprises            | \$0          | \$721,342    | \$90,853    | \$812,194    |
| Total                             | \$10,114,444 | \$21,056,233 | \$3,784,167 | \$34,954,844 |

**Table 11: State-wide lost employment in number of jobs**

| NAICS Aggregated Industries       | Direct | Indirect | Induced | Total |
|-----------------------------------|--------|----------|---------|-------|
| Ag, Forestry, Fish & Hunting      | 0      | 0        | 0       | 1     |
| Mining                            | 0      | 122      | 0       | 122   |
| Utilities                         | 65     | 8        | 0       | 74    |
| Construction                      | 0      | 4        | 1       | 5     |
| Manufacturing                     | 0      | 2        | 0       | 2     |
| Wholesale Trade                   | 0      | 9        | 3       | 11    |
| Retail trade                      | 0      | 3        | 25      | 29    |
| Transportation & Warehousing      | 0      | 16       | 4       | 20    |
| Information                       | 0      | 1        | 1       | 2     |
| Finance & insurance               | 0      | 5        | 7       | 12    |
| Real estate & rental              | 0      | 8        | 7       | 15    |
| Professional- scientific & tech   | 0      | 11       | 3       | 14    |
| Management of companies           | 0      | 2        | 0       | 2     |
| Waste Management                  | 0      | 16       | 3       | 19    |
| Educational Services              | 0      | 0        | 2       | 2     |
| Health Care and Social Assistance | 0      | 0        | 21      | 21    |
| Arts, entertainment & recreation  | 0      | 1        | 3       | 4     |
| Accommodation & food services     | 0      | 4        | 25      | 29    |
| Other services                    | 0      | 2        | 10      | 12    |
| Government Enterprises            | 0      | 8        | 1       | 9     |
| Total                             | 65     | 221      | 118     | 404   |

Total tax revenues generated in Wyoming decline by \$33.2 million from the closure of Jim Bridger's power generation Unit 2. Federal tax revenues decline \$13.1 million. State tax revenues decline \$10.7 million primarily from a \$4.6 million reduction in sales tax revenues and \$3.7 million in lost severance tax revenues. County tax revenues decline \$9.4 million with 86 percent of this decline coming from lower property tax revenues due to lower mineral ad valorem tax revenues.

**Table 12: State-wide lost tax revenue in 2021 dollars**

|                           | <i>Employees &amp; Proprietors</i> | <i>Production &amp; Imports</i> | <i>Households &amp; Business</i> | <i>Total</i>        |
|---------------------------|------------------------------------|---------------------------------|----------------------------------|---------------------|
| <b>Federal</b>            |                                    |                                 |                                  |                     |
| Social Ins. Tax- Employee | \$2,903,829                        |                                 |                                  | \$2,903,829         |
| Social Ins. Tax- Employer | \$2,108,545                        |                                 |                                  | \$2,108,545         |
| Excise Taxes              |                                    | \$1,022,093                     |                                  | \$1,022,093         |
| Custom Duty               |                                    | \$828,440                       |                                  | \$828,440           |
| Corporate Profits Tax     |                                    |                                 | \$2,327,532                      | \$2,327,532         |
| Personal Tax: Income Tax  |                                    |                                 | \$3,963,983                      | \$3,963,983         |
| Sub-total                 | \$5,012,374                        | \$1,850,532                     | \$6,291,515                      | \$13,154,422        |
| <b>State</b>              |                                    |                                 |                                  |                     |
| Social Ins. Tax- Employee | \$159,037                          |                                 |                                  | \$159,037           |
| Social Ins. Tax- Employer | \$243,283                          |                                 |                                  | \$243,283           |
| Sales Tax                 |                                    | \$4,632,863                     |                                  | \$4,632,863         |
| Property Tax              |                                    | \$1,246,992                     |                                  | \$1,246,992         |
| Motor Vehicle License     |                                    | \$179,265                       |                                  | \$179,265           |
| Severance Tax             |                                    | \$3,652,851                     |                                  | \$3,652,851         |
| Other Taxes               |                                    | \$339,191                       | \$242,322                        | \$581,513           |
| Sub-total                 | \$402,320                          | \$10,051,162                    | \$242,322                        | \$10,695,804        |
| <b>County</b>             |                                    |                                 |                                  |                     |
| Sales Tax                 |                                    | \$802,972                       |                                  | \$802,972           |
| Property Tax              |                                    | \$2,681,519                     |                                  | \$2,681,519         |
| Motor Vehicle License     |                                    | \$43,177                        |                                  | \$43,177            |
| Other Taxes               |                                    | \$5,031                         | \$30,374                         | \$35,405            |
| Sub-total                 |                                    | \$3,532,699                     | \$30,374                         | \$3,563,073         |
| <b>Special Districts</b>  |                                    |                                 |                                  |                     |
| Sales Tax                 |                                    | \$783                           |                                  | \$783               |
| Property Tax              |                                    | \$5,113,370                     |                                  | \$5,113,370         |
| Other Taxes               |                                    | \$103,329                       | \$34,363                         | \$137,692           |
| Sub-total                 |                                    | \$5,217,483                     | \$34,363                         | \$5,251,845         |
| <b>General County</b>     |                                    |                                 |                                  |                     |
| Sales Tax                 |                                    | \$90,665                        |                                  | \$90,665            |
| Property Tax              |                                    | \$299,266                       |                                  | \$299,266           |
| Other Taxes               |                                    | \$151,940                       | \$2,009                          | \$153,949           |
| Sub-total                 |                                    | \$541,871                       | \$2,009                          | \$543,880           |
| <b>Government Totals</b>  | <b>\$5,414,694</b>                 | <b>\$21,193,747</b>             | <b>\$6,600,583</b>               | <b>\$33,209,024</b> |

## 6. Conclusions

Closing Unit 2 at the Jim Bridger reduces value added, or gross state product, in the State of Wyoming by \$148.6 million per annum. Annual total federal, state, and local tax revenues decline \$33.2 million. Closing Unit 2 also reduces employment, and our estimates indicate a loss of 404 full-time equivalent positions.

Most of these losses occur in Sweetwater County where Unit 2 is located. Value added or gross county product is reduced by \$134.1 million and 327 jobs are lost. Sweetwater County tax revenues are reduced by nearly \$8.7 million.

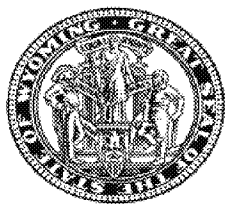
These are annual losses from closing the Unit 2. If the Unit 2 were to operate through the then end of its expected life, these losses, except the employment losses, would accumulate for seven years. From this perspective, the economic and fiscal impacts would be 7-fold larger, or \$1 billion in lost value added and \$245 million in foregone tax revenues.

A complete cost-benefit analysis of the air quality benefits from closing Unit 2 is beyond the scope of this study. Nevertheless, the cost of closing Jim Bridger Unit 2 in terms of lost value added per ton of avoided carbon dioxide and particulate pollution are \$73 and over \$35,000 per ton respectively, which both seem rather high.

Finally, closing Unit 2 may have significant impacts on maintaining the reliability of electricity service to the thousands of customers consuming electric power generated at the Jim Bridger plant. While estimating the impact of closing Unit 2 on the reliability of the electric grid is also beyond the scope of this study, readers should keep in mind that the social costs of unreliable electricity service are significant.

## References

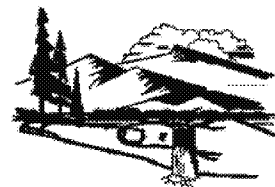
- Bloomberg (2021) "Bloomberg Terminal: Bloomberg Professional Services, <https://bba.bloomberg.net>.
- Energy Information Administration (2021) "EIA-923 Monthly Generating Unit Net Generation Time Series File," 202 Revision, <https://www.eia.gov/electricity/data/eia923/>.
- IMPLAN (2021) "Economic Impact Analysis for Planning," <https://implan.com>.
- Miller, R.E. and P.D. Blair (2009) Input-Output Analysis: Foundations and Extensions, Cambridge University Press, 750 pages.



Mark Gordon, Governor

# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's  
environment for the benefit of current and future generations.*



Todd Parfitt, Director

Date: May 5, 2020

Mr. James Owen  
Director, Environmental Services  
PacifiCorp  
1407 W North Temple, Ste 210  
Salt Lake City, UT 84116

Permit No. **P0025809**

Dear Mr. Owen:

The Division of Air Quality of the Wyoming Department of Environmental Quality has completed final review of PacifiCorp's (CMP000574) application to modify operations at the Jim Bridger Plant (F000645) by establishing monthly-block average pound per hour (lb/hr) NO<sub>x</sub> and SO<sub>2</sub> emissions limits for Units 1-4 (EGU001-EGU004) combined and a 12-month rolling total NO<sub>x</sub> and SO<sub>2</sub> emission limit of 17,500 tons per year (tpy) for Units 1-4 (EGU001-EGU004) combined. This combined set of lb/hr and tpy limits will be enforced in lieu of installation of selective catalytic reduction technology (SCR) on Units 1-2 (EGU001-EGU002), and will effectively decrease the operating capacity of the plant, thereby reducing its emission of haze-causing pollutants, NO<sub>x</sub> and SO<sub>2</sub>. The Jim Bridger Plant is located in Section 3, T20N, R101W, approximately four (4) miles north of Point of Rocks, in Sweetwater County, Wyoming.

Following this agency's proposed approval of the request as published July 20, 2019 and in accordance with Chapter 6, Section 2(m) of the Wyoming Air Quality Standards and Regulations, the public was afforded a 30-day period in which to submit comments concerning the proposed modification, and an opportunity for a public hearing. A public hearing was conducted on August 23, 2019, in the Pilot Butte Conference Room of the Rock Springs BLM Field Office, located at 280 Highway 191 North, Rock Springs, in Sweetwater County, Wyoming. Comments received were considered in the final permit. Therefore, on the basis of the information provided to us, approval to modify the Jim Bridger Plant as described in the application is hereby granted pursuant to Chapter 6, Section 2 of the regulations with the following conditions:

1. That authorized representatives of the Division of Air Quality be given permission to enter and inspect any property, premise or place on or at which an air pollution source is located or is being constructed or installed for the purpose of investigating actual or potential sources of air pollution and for determining compliance or non-compliance with any rules, standards, permits or orders.
2. That all substantive commitments and descriptions set forth in the application for this permit, unless superseded by a specific condition of this permit, are incorporated herein by this reference and are enforceable as conditions of this permit.
3. That PacifiCorp shall file a complete application to modify their Operating Permit within twelve (12) months of commencing operation, in accordance with Chapter 6, Section 3(c)(i)(B) of the WAQSR. Where an existing operating permit would prohibit such construction or change in operation, the owner or operator must obtain a permit revision before commencing operation.

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4. That all notifications, reports, and correspondence required by this permit shall be submitted to the Stationary Source Compliance Program Manager. Submissions may be done electronically through <https://airimpact.wyo.gov> to satisfy requirements of this permit.
5. That written notification of the anticipated date of initial startup of the Reasonable Progress Reassessment Project, in accordance with Chapter 6, Section 2(i) of the WAQSR, is required not more than sixty (60) days or less than thirty (30) days prior to such date. Notification of the actual date of startup is required within fifteen (15) days after startup.
6. That the date of commencement of construction of the Reasonable Progress Reassessment Project shall be reported to the Administrator within thirty (30) days of commencement. In accordance with Chapter 6, Section 2(h) of the WAQSR, approval to construct or modify shall become invalid if construction is not commenced within twenty-four (24) months after receipt of such approval or if construction is discontinued for a period of twenty-four (24) months or more. The Administrator may extend the period based on satisfactory justification of the requested extension.
7. Units 1-4 shall be limited to the following monthly-block average pound per hour (lb/hr) NO<sub>x</sub> and SO<sub>2</sub> emissions limits. Compliance with the limits shall be determined using continuous emissions monitoring systems (CEMS) certified in accordance with 40 CFR part 75. The NO<sub>x</sub> and SO<sub>2</sub> limits will be effective on January 1, 2022 and initial compliance shall be determined on February 1, 2022.

| Month     | NO <sub>x</sub> | SO <sub>2</sub> |
|-----------|-----------------|-----------------|
| January   | 2,050           | 2,100           |
| February  | 2,050           | 2,100           |
| March     | 2,050           | 2,100           |
| April     | 2,050           | 2,100           |
| May       | 2,200           | 2,100           |
| June      | 2,500           | 2,100           |
| July      | 2,500           | 2,100           |
| August    | 2,500           | 2,100           |
| September | 2,500           | 2,100           |
| October   | 2,300           | 2,100           |
| November  | 2,030           | 2,100           |
| December  | 2,050           | 2,100           |



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8. Compliance with the monthly-block average lb/hr NO<sub>x</sub> and SO<sub>2</sub> emissions limits set forth in Condition 7 of this permit shall be determined with data from certified CEMS as follows:

i. Exceedance of the limit shall be defined as follows:

1. Any monthly-block average which exceeds the lb/hr NO<sub>x</sub> and SO<sub>2</sub> limits as calculated using the following formula:

$$E_{avg} = E_{U1} + E_{U2} + E_{U3} + E_{U4}$$

Where:

$E_{avg}$  = Monthly-block average emission rate (lb/hr)

$E_{U1}$  = Monthly-block average Unit 1 emission rate (lb/hr)

$E_{U2}$  = Monthly-block average Unit 2 emission rate (lb/hr)

$E_{U3}$  = Monthly-block average Unit 3 emission rate (lb/hr)

$E_{U4}$  = Monthly-block average Unit 4 emission rate (lb/hr)

$$E_{U1} = \frac{\sum_{h=1}^n (C_1)h}{n}$$

$$E_{U2} = \frac{\sum_{h=1}^n (C_2)h}{n}$$

$$E_{U3} = \frac{\sum_{h=1}^n (C_3)h}{n}$$

$$E_{U4} = \frac{\sum_{h=1}^n (C_4)h}{n}$$

$C1$  = Unit 1 1-hour average emission rate (lb/hr) for hour “h” calculated using valid data (output concentration and average hourly volumetric flowrate) from the CEM equipment certified and operated in accordance with Part 75. Valid data shall meet the requirements of WAQSR, Chapter 5, Section 2(j). Valid data shall not include data substituted using the missing data procedure in subpart D of Part 75, nor shall the data have been bias adjusted according to the procedure of Part 75.  $C1$  shall be determined for each calendar month used to demonstrate compliance with the emission limits set forth in Condition 7.

$C2$  = Unit 2 1-hour average emission rate (lb/hr) for hour “h” calculated using valid data (output concentration and average hourly volumetric flowrate) from the CEM equipment certified and operated in accordance with Part 75. Valid data shall meet the requirements of WAQSR, Chapter 5, Section 2(j). Valid data shall not include data substituted using the missing data procedure in subpart D of Part 75, nor shall the data have been bias adjusted according to the procedure of Part 75.  $C2$  shall be determined for each calendar month used to demonstrate compliance with the emission limits set forth in Condition 7.

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$C3$  = Unit 3 1-hour average emission rate (lb/hr) for hour “h” calculated using valid data (output concentration and average hourly volumetric flowrate) from the CEM equipment certified and operated in accordance with Part 75. Valid data shall meet the requirements of WAQSR, Chapter 5, Section 2(j). Valid data shall not include data substituted using the missing data procedure in subpart D of Part 75, nor shall the data have been bias adjusted according to the procedure of Part 75.  $C3$  shall be determined for each calendar month used to demonstrate compliance with the emission limits set forth in Condition 7.

$C4$  = Unit 4 1-hour average emission rate (lb/hr) for hour “h” calculated using valid data (output concentration and average hourly volumetric flowrate) from the CEM equipment certified and operated in accordance with Part 75. Valid data shall meet the requirements of WAQSR, Chapter 5, Section 2(j). Valid data shall not include data substituted using the missing data procedure in subpart D of Part 75, nor shall the data have been bias adjusted according to the procedure of Part 75.  $C4$  shall be determined for each calendar month used to demonstrate compliance with the emission limits set forth in Condition 7.

$n$  = The number of unit operating hours monitored during the monthly-block period with valid emissions data meeting the requirements of WAQSR, Chapter 5, Section 2(j).

- ii PacifiCorp will comply with all monitoring, recordkeeping, and reporting requirements in Section 8.3.3 of Wyoming’s 309(g) Regional Haze SIP in addition to the reporting and recordkeeping requirements as specified in WAQSR, Chapter 5, Section 2(g).
- 9. Units 1-4 shall be limited to a combined limit for  $\text{NO}_x$  plus  $\text{SO}_2$  of 17,500 tons per year based on a 12-month rolling total. Compliance with the limit shall be determined using a CEMS certified in accordance with 40 CFR part 75. Valid data shall not include data substituted using the missing data procedure in subpart D of Part 75, nor shall the data have been bias adjusted according to the procedures of Part 75. The  $\text{NO}_x$  plus  $\text{SO}_2$  limit will be effective on January 1, 2022 and initial compliance shall be determined on January 1, 2023.
- 10. PacifiCorp shall retain a copy of all records necessary to determine compliance with the limits established in Conditions 7 and 9 for five (5) years from the date of such record.
- 11. All conditions from previously issued permits and authorization letters/waivers for the Jim Bridger Plant shall remain in effect unless specifically superseded by a condition of this permit.

It must be noted that this approval does not relieve you of your obligation to comply with all applicable county, state, and federal standards, regulations or ordinances. Special attention must be given to Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations, which details the requirements for compliance with Conditions 3, 5 and 6. Any appeal of this permit as a final action of the Department must be made to the Environmental Quality Council within thirty (30) days of permit issuance per Section 8, Chapter 1, General Rules of Practice and Procedure, Department of Environmental Quality.

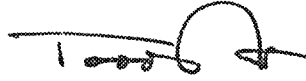
PacifiCorp  
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If we may be of further assistance to you, please feel free to contact this office.

Sincerely,



Nancy E. Vehr  
Administrator  
Air Quality Division



Todd Parfitt  
Director  
Dept. of Environmental Quality

Message

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**From:** Stenhouse, Jeb [Stenhouse.Jeb@epa.gov]  
**Sent:** 12/22/2021 3:51:18 PM  
**To:** McCabe, Janet [McCabe.Janet@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]  
**Subject:** RE: Happy Birthday to MATS...

Great read, thanks for sharing Janet. Hope you have a wonderful and restful holiday break!

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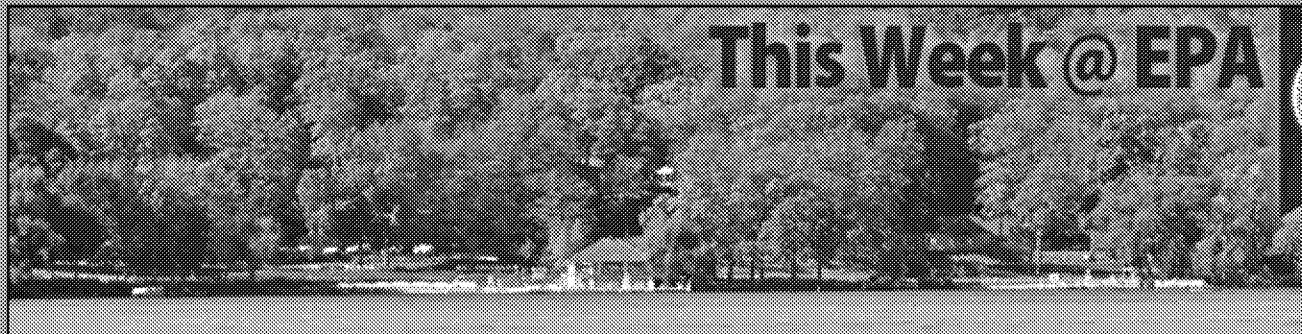
**From:** McCabe, Janet <McCabe.Janet@epa.gov>  
**Sent:** Tuesday, December 21, 2021 2:59 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Stenhouse, Jeb <Stenhouse.Jeb@epa.gov>  
**Subject:** Happy Birthday to MATS...

<https://subscriber.politicopro.com/article/eenews/2021/12/21/how-epas-power-plant-rule-dodged-industry-fear-spreading-284504>

Janet G. McCabe  
Deputy Administrator, USEPA  
1200 Pennsylvania Ave. NW 3412  
Washington, DC 20460

## Message

**From:** This Week @ EPA [epanews@epa.gov]  
**Sent:** 12/21/2021 2:00:26 PM  
**To:** This Week @ EPA [epanews@epa.gov]  
**Subject:** This Week @ EPA - December 20, 2021



December 20, 2021

Photograph taken by Richard Angelbeck, Reg

**Winter Photo Call!** We invite you to share your winter-themed photos with us. For examples of previous uses of these photos and connect to your VPN and see our guidance information on [EPA@Work](#). We've added a photo upload tool to make it even easier to share. Questions can be sent to: [internalcomms@epa.gov](mailto:internalcomms@epa.gov). The submission deadline is Thursday, December 30. ~ The Office of Internal

[Senior Leadership Focus](#) | [Employee Spotlight](#) | [Hot Topics](#) | [Key Dates](#) | [Video Spotlight](#) | [Health & Wellness](#) |

## Senior Leadership Focus

### In case you missed it

#### Senior Leadership Messages

- Administrator Regan [announces](#) Presidential Rank Award recipients.
- Deputy Administrator McCabe [provides information on an executive order](#) catalyzing America's clean energy economy through
- Deputy Administrator McCabe [shares update](#) on EPA's COVID-19 Workplace Safety Plan.

#### News Releases

- EPA [finalizes greenhouse gas standards](#) for passenger vehicles, paving way for a zero-emissions future.
- EPA [takes critical step](#) towards strengthening science used in chemical risk evaluations.
- EPA [announces nationwide monitoring effort](#) to better understand extent of PFAS in drinking water.
- EPA [settlement with Avantor Performance Materials](#) resolves public right to know and mercury export violations.
- EPA [announces plans to use first \\$1B](#) from Bipartisan Infrastructure Law funds to clear out the superfund backlog.
- EPA [announces](#) intent to strengthen lead and copper regulations, support proactive lead service line removal across the country.
- EPA [announces \\$14.1 Million](#) to fund 133 environmental justice grants.
- EPA [awards over \\$32 million](#) for tribal environmental programs in Alaska and the Pacific Northwest.
- EPA [announces over \\$3 Million](#) in funding to small businesses to develop environmental technologies.
- EPA [extends public comment period](#) on proposal to cut methane and other pollution from the oil and natural gas industry.

## Employee Spotlight

Dr. Evisabel Craig, OCSPP

Jermaine Hawkins, OMS

This week we highlight Dr. Evisabel Craig, who is a team leader in the Office of Chemical Safety and Pollution Prevention (OCSPP). Evisabel joined EPA in 2012 as an ORISE fellow at the Office of Research and Development in Cincinnati, OH. Throughout the years, Evisabel has performed hazard and risk assessments for a variety of industrial chemicals to aid in cleanup efforts under the Superfund program and to determine safe levels for chemical use in residential and occupational settings.

Evisabel has also participated in multiple EPA-wide efforts, including the development of the EPA New Approach Methods (NAMs) work plan for reducing the use of animals in chemical testing, and she worked on the rulemaking process for the designation of several PFAS chemicals as hazardous substances.

Evisabel has a Ph.D. in Pharmacology and Toxicology from the University of Arizona and is a diplomate of the American Board of Toxicology. In her spare time, she enjoys hiking with family and friends as well as mentoring youth through various initiatives.



**Peter Johnson, Region 4**

This week we introduce Jermaine Hawkins from EPA (OMS). Jermaine is the technical manager for the agency's mobile device management (MDM) solution (iPhone and iPad). Jermaine implemented software settings and compliance policies allowing the agency to be compliant with the following Federal Information Security requirements:

- Protect against malware and malicious apps through a mobile threat defense solution.
- Prevent the execution of unauthorized software.
- Prevent access to enterprise resources (e.g. email) when security updates are not performed within a defined timeframe.

In addition, he has been proactive in identifying and addressing security vulnerabilities. His expertise with mobile devices helps improve the agency's mobile device security posture.

Jermaine has over 11 years of federal service. He graduated from college and a senior in high school. Jermaine enjoys spending time with his daughters. He loves sports and is an avid NBA and Boston Celtics fan. He also enjoys travelling, especially when pools are involved.

**Dr. Susan Burke, OAR**

This week we highlight Peter Johnson from Region 4's Land, Chemicals and

This week, we highlight Dr. Susan Burke in

Redevelopment Division (LCRD), Redevelopment and Chemicals Branch, Polychlorinated Biphenyl (PCB) and Sustainability Section.

Peter joined EPA in March of 2020 as a PCB Project Manager, where he guides the private and public sectors on PCB-related matters. He also reviews PCB permit applications and PCB Cleanup Plans, and issues PCB Approvals. He feels very fortunate to be part of the amazing and dedicated PCB Team with Terri Crosby-Vega, Jan Martin, Edmond Burkes, and PCB and Sustainability Section Chief Barbara Alfano!

Additionally, he serves as LCRD's Health and Safety Officer, Region 4's Asian American Pacific Islander's Special Emphasis Program Manager, and Region 4's Disaster Mitigation and Recovery Lead. He enjoys the opportunity to work with EPA personnel in other Divisions through these roles.

Prior to joining EPA, Peter, a Professional Geologist, worked at the Georgia Environmental Protection Division for approximately five years, and in environmental consulting for approximately eight years.

Outside of work, Peter enjoys spending time with friends and family, hiking, and camping (with his wife, 3-year-old son, and dog), fishing, canoeing, juggling, woodworking, and traveling (oh how he misses traveling).

Susan serves as a technical lead on electric infrastructure in the Transportation and Climate role in the \$2 billion Zero Emission Vehicle Volkswagen Settlement, and continues to in infrastructure work through research and in more electric cars, trucks, and buses expected helping to answer big picture questions about needed to support them.

In her 12 years at EPA, Susan has also had to multiple rulemakings and engage in mode greenhouse gas emissions from transportat most enjoyable work has been developing e Green Vehicle Guide website, including an a vehicles work. (Can you spot the raccoon in

Susan has a Ph.D. in physics and conducted National Accelerator Laboratory near Chicago also spent a year as an American Association Science, Science & Technology Policy Fellow

[Nominate an employee today and he/she/th](#)  
[Week @ EPA, EPA@Work, and/or on Linke](#)

## Hot Topics

Instructions for time and attendance for Pay Period 01, December 19, 2021-January 1, 2022





This is time and attendance guidance for Pay Period 01, 2022, December 19, 2021-January 1, 2022. All time and attendance for agency employees must be input and attested to by the employee and approved by their supervisor as follows:

- **Timecard Corrections for Prior Pay Periods** - no later than 10 p.m. Eastern Time, Tuesday, December 28. *Please mark your calendar so you don't miss this deadline.*
- **Time and Attendance for Pay Period 01 ending January 1, 2022** - no later than 10 p.m. Eastern Time, Thursday, December 30. *Employees should not modify their time and attendance after this date and time. Please mark your calendar so you don't miss this deadline.*

Please check the list of reporting codes (TREGW, TMREG, TWRAC, TWEHR, and REGHR, etc.) for more information on each code. The list is of time reporting codes and guidance for time and attendance to be used for the COVID-19 impacted pay periods.

If you have any questions about this time and attendance guidance or need assistance, please submit a helpdesk ticket to [HRPAYHELP@epa.gov](mailto:HRPAYHELP@epa.gov) or contact the OCFO Systems HelpDesk at 202-564-OCFO (202-564-6236).

**In the field: Sampling in Coeur d'Alene, Idaho**

The Coeur d'Alene Basin Cleanup is located in northern Idaho and eastern Washington. Historical mining and milling disposal methods spread contaminants throughout the channel and floodplain of the South Fork and mainstem of the Coeur d'Alene River and the site was added to the National Priorities List in 1983. Office of Research and Development (ORD) researchers recently traveled to the area to sample pore water, surface water, and sediments. [Read more about this work](#) in EPA's Science Matters Newsletter produced by ORD.

## **Resources for Seasonal Affective Disorder**

EPA's Employee Assistance Program (EAP), [Espy](#) ([Exit](#)), has many helpful resources for those impacted by Seasonal

Affective Disorder (SAD). According to the [National Institute of Mental Health](#), "SAD is not considered a separate disorder but is a type of depression characterized by its recurrent seasonal pattern, with symptoms lasting about 4 to 5 months per year." SAD is temporary and typically only occurs when days are shorter and there is less sunlight. There are treatment options available for SAD, so speak to your healthcare provider about which options are best for you.

Some of the indicators associated with SAD include:

- Symptoms of major depression.
- Oversleeping (hypersomnia).
- Craving carbohydrates.
- Overeating and/or weight gain.
- Social withdrawal (i.e., feeling like "hibernating").

**If you or someone you know is in immediate distress or is thinking about hurting themselves, please call the National Suicide Prevention Lifeline toll-free at 1-800-273-TALK (8255).**

To access online resources visit [www.espyr.com](http://www.espyr.com) ([Exit](#)) and use the EPA password, which is [usepa](#). For additional EAP information visit [EPA's EAP Intranet Site](#). For questions, please email [eap@epa.gov](mailto:eap@epa.gov).

**Make adding agency calendar events to Outlook easier**

Are you frustrated when adding events posted on the [agency calendar](#) to your Outlook calendar? Do you have to save the iCal file (\*.ics) to your downloads folder and then open the file independently to save it to Outlook? [We have a solution for you.](#)

**Reminder: Help Wanted – Application Reviewers for 2021 EE Grants – Deadline Extended!**



EPA recently announced up to \$3 million in funding for locally-focused environmental education grants under the

Environmental Education (EE) Local Grant Program. Applications were due Dec. 6, 2021, and OEE needs your help reviewing them.

EPA will award grants in each of EPA's 10 Regions, for a total of 30-40 grants nationwide. Given the needed assistance with awarding these grants – and the opportunity for valuable training – please (in consultation with your supervisor) consider volunteering your time. The experience of reviewing grants will foster a more informed and equitable EPA workforce and help align the agency with the government-wide priority for equity and the Administrator's focus on supporting underserved communities.

The time commitment for serving as an OEE Grant Reviewer is approximately 10-20% over 60 days. Reviewer training will begin in mid-December and scoring of applications will be done in January and early-February. In some instances, the time commitment can be adjusted based on your workload.

Interested staff are encouraged to review more detailed information and apply through [Skills Marketplace](#) by **December 30**.

For information on the EE Grants Program, please visit the [EE Grants internet page](#).

**Reminder: Nominations are open! 2022 Samuel J. Heyman Service to America Medals**

On November 9, Deputy Administrator McCabe announced that the 2022 Samuel J. Heyman Service to America

Medals ("Sammies") ([Exit](#)) nominations are open. Sponsored by the Partnership for Public Service, the Sammies highlight excellence in the federal workforce. Anyone can submit a nomination. Individuals will be recognized in the following medal and nomination categories:

- Federal Employee of the Year.
- Paul A. Volcker Career Achievement.
- Emerging Leaders.
- Safety, Security, and International Affairs.
- Management Excellence.
- Science and Environment.
- COVID-19 Response.

The deadline to complete a [nomination form](#) ([Exit](#)) is January 14, 2022. For more information, including nomination and selection process, medal categories, and criteria, please visit the [Service to America Medals website](#) ([Exit](#)).

## Combined Federal Campaign

**CFC Cause of the Week: Mental Wellness**

Mental health conditions can be overlooked, as people often conceal underlying conditions and hidden struggles with a

smile or routine motions. Each of us have had life experiences that have a prolonged effect on our mental health. No one should have to suffer alone. Understanding and highlighting mental health awareness is critical to ensure we can all recognize the signs and help affected individuals get the help and ongoing support they need.

Globally, more than 264 million people of all ages suffer from depression. One in five people living in an area affected by conflict will likely have depression, anxiety, post-traumatic stress disorder, bipolar disorder, or schizophrenia, which can worsen if untreated by a professional.

Also, poor mental wellness is associated with rapid social change, stressful work conditions, gender discrimination, social exclusion, unhealthy lifestyle, physical illness, and human rights violations. The most common mental and neurological disorders for those aged 60 and older are dementia and depression.

Your donation to mental health cause areas tackles stigmas, prioritizes mental health programs, provides resources, and offers treatment efforts. Your gift improves the lives of individuals, families, and our communities affected by mental health. [Join the CFC community today](#) and become a changemaker.

**Key Dates**

**Video Spotlight**

Click on each event below to get more details.

Twitter video of Administrator Regan driving an electric Volvo garbage truck

← Tweet



Michael Regan, U.S. EPA  
@EPAMichaelRegan

I had some fun this weekend test driving EV trucks at @VolvoTrucksNA with @UAW! Modernizing our nation's heavy-duty fleet is how we'll deliver on our clean energy future.



Click on the "Add to Calendar" button, Select the last entry, iCal/MS Outlook, to add an event to your Outlook calendar. *Note: If you see a log-in screen, please click on your EPA email, or if prompted, enter your email and network password.*

**Coming soon:**



**Jan. 5:** GIS Working Group Monthly

**Jan. 6:** EPA Qlik User Group

**Jan. 11:** Future of Working Information Session for

Employees

**Jan. 12:** Future of Work Information Session for

Supervisors

**Jan. 12:** [EPA basics webinar: Qlik in 45](#)

**Jan. 13:** Future of Working Information Session for



Employees

**Jan. 13:** Webinar: Boosting your immunity

*\*Future of Work information sessions are for **non-bargaining unit employees** and supervisors*

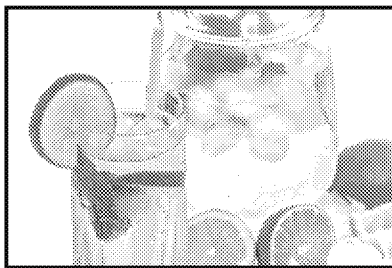


## Health and Wellness

### Boosting Your Immunity webinar

Maintaining a healthy immune system is central to protecting your body against infection. Learn how to strengthen your immune system by participating in the Virginia Hospital Center's Boosting Your Immunity webinar on **Thursday, January 13 from 2-3 p.m. ET.** [Register today \(Exit\).](#)

For more information, visit the [Health and Wellness page](#) on the Office of Mission Support's Safety and Sustainability Division's intranet site.



*Note: This event is presented to support health and wellness. EPA does not endorse this business, practitioner or service.*

## IT Corner

### Use Live Transcription in your Teams meetings

Microsoft Teams meetings now have live transcription! That means your Teams meetings can have voice-to-text transcription happen as people are speaking. During the meeting, the text appears to the right of the meeting screen in real time and includes the speaker's name and a time stamp. After the meeting, you can download the transcription file from the meeting chat.

To start live transcription, you must be a meeting organizer or presenter. Then:

1. Click the **More actions** ellipses from the top menu bar.



2. Select "Start transcription" from the drop-down menu.



3. Notify attendees that transcription started. An alert will appear at the top of the meeting to let you know the transcription started.



4. To stop the transcription, click the **More actions** ellipses and select "Stop transcription."



You can learn more about the Teams meeting [live transcription \(Exit\)](#) feature on Microsoft's website.

**Resources:** You can sign up for [live Microsoft Office 365 training classes](#); view [recorded training classes](#); and join the [Teams Users Community](#) (inside Teams), where you'll find [additional EPA guidance documents](#).

**Need help?** For technical issues, please contact the Enterprise IT Service Desk (EISD) at [EISD@epa.gov](mailto:EISD@epa.gov) or 1-866-411-4372.

We would love to hear our feedback about this newsletter. Please contact us at [internalcomms@epa.gov](mailto:internalcomms@epa.gov) | <http://intranet.epa.gov/internalcomms>.  
Looking for previous editions of the newsletter? Go to the [archive](#)

## Message

**From:** Dan Galpern [dan.galpern@gmail.com]  
**Sent:** 12/23/2021 7:28:43 PM  
**To:** Regan, Michael [Regan.Michael@epa.gov]; Arroyo, Victoria [Arroyo.Victoria@epa.gov]; Freedhoff, Michal [Freedhoff.Michal@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]; Jason.A.Schwartz [Ex. 6 Personal Privacy (PP)] Regina McCarthy [Ex. 6 Personal Privacy (PP)]  
**Subject:** Pre-filing consultation  
**Attachments:** 2021.12.23\_Letter pre-filing to Admin Regan.pdf

December 23, 2021

Michael S Regan, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460  
By email to: [Regan.Michael@epa.gov](mailto:Regan.Michael@epa.gov)

Dear Administrator Regan,

I am pleased to convey to you the attached draft Petition Seeking A Phaseout of New and Removal of Legacy Fossil Fuel Greenhouse Gas Emissions.

We submit here in draft form in aid of pre-filing consultation, pursuant to 50 FR 46825 (Nov. 13, 1985).

Petitioners and I look forward to hearing from you.

Sincerely yours,

Dan Galpern

Law Offices of Daniel M. Galpern  
2495 Hilyard St., Suite A  
Eugene, Oregon 97405  
541.968.7164 (cell)  
[dan.galpern@gmail.com](mailto:dan.galpern@gmail.com)



## Message

**From:** DeLuca, Isabel [DeLuca.Isabel@epa.gov]  
**Sent:** 1/12/2022 4:14:17 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**CC:** Millett, John [Millett.John@epa.gov]  
**Subject:** NY Times inquiry on burning waste coal  
**Attachments:** 2022-1-10 NYT Qs on waste coal and WV.docx

Hi Joe and Tomás, just wanted to make you aware of this press inquiry (see below), and draft response (attached). Please let me know if you have any questions or edits.

Thanks,  
 Isabel

---

**From:** Carroll, Timothy <Carroll.Timothy@epa.gov>  
**Sent:** Monday, January 10, 2022 3:09 PM  
**To:** Millett, John <Millett.John@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>  
**Cc:** Conger, Nick <Conger.Nick@epa.gov>  
**Subject:** FW: From Dionne at NY Times

Hi all,

We have an inquiry from a NY Times reporter hoping to chat with an EPA expert on burning waste coal for a story about a facility owned by Sen. Manchin

### Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Thanks all – the reporter is hoping to hear back in the next day or two if possible. Talk soon!

Tim Carroll (he/him)  
 Deputy Press Secretary  
 Environmental Protection Agency  
 202-384-7510 (mobile)  
 Twitter: @EPAPressOffice

---

**From:** Dionne Searcey <dionne.searcey@nytimes.com>  
**Sent:** Monday, January 10, 2022 2:49 PM  
**To:** Carroll, Timothy <Carroll.Timothy@epa.gov>; EPA Press Office <Press@epa.gov>  
**Subject:** From Dionne at NY Times

Here you go.

How many power plants in the US are burning waste coal now?

How did waste coal end up as renewable energy?

It seems as though for waste coal used in power plants – that those plants have received special treatment, such as tax breaks. Any thoughts on why that is?

Is Grant Town in W. Virginia different from other waste coal burning facilities? How so?

Is Grant Town still burning waste coal?

Is the burning of waste coal in power plants more polluting than the burning of coal in general?

If you had any background about uses for waste coal that would be great too.

Thanks,

Dionne 917-545-4904

--

***Dionne Searcey***

*The New York Times*

*620 Eighth Ave.*

*New York, NY 10018*

*917-545-4904 mobile/WhatsApp/Signal*

*@dionnesearcey on Twitter/Instagram*

***Author of "In Pursuit of Disobedient Women" on sale from Random House***

Message

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**From:** EPA Office of Public Affairs [epa@BulletinIntelligence.com]  
**Sent:** 9/9/2021 10:58:35 AM  
**To:** Bulletin Intelligence [epa@bulletinintelligence.com]  
**Subject:** EPA Daily News Clips for Thursday, September 9, 2021

[Click to access mobile-optimized online version, including download options and an audio reader.](#)

produced by **CISION**  
insights



## Daily News Clips: Brought to you by the Office of Public Affairs

September 9, 2021

### Access

Please note that not all resources are subscribed to and not all will be accessible. **To access full articles**, being on the VPN will enable you to access the resources that the EPA National Library Network subscribes to (including Inside EPA, E&E News, some Bloomberg content, etc.) The Library also subscribes to the New York Times through the ProQuest platform ([this link](#)). While the Library does not subscribe to the Washington Post, EPA employees may subscribe via their epa.gov email address.

**To subscribe or unsubscribe to this report**, please visit:

<https://epa.bulletinintelligence.com/subscribe> and enter your EPA email address.

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- Fox Says New WOTUS Definition Will Factor In Climate Change. (Bloomberg BNA)

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## Administrator

### Regan Promises Strictest Methane Rule Yet.

E&E Publishing (9/8, Chemnick) reports EPA Administrator Michael Regan "confirmed last week that his agency will meet President Biden's September deadline to propose methane regulations for the oil and gas sector." Regan "said during an event last week hosted by Resources for the Future that

methane reduction has 'never been done as aggressively as we plan to do it.'" The Trump Administration "spent four years working to scuttle the Obama-era" methane rule "in ways it hoped would also erect future barriers to regulating methane from existing sources," but "Congress took the unusual step of invalidating a Trump EPA rollback and replacement rule" and restored the Obama rule in June.

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## Air

### **EPA Preparing For Tightening Of Power Plant Mercury Standard.**

Inside EPA (9/8) reports, "EPA's imminent proposal restoring the prerequisite legal finding that it is "appropriate and necessary" (A&N) to regulate air toxics emissions from power plants is expected to include an information-gathering drive to facilitate a possible future tightening of its landmark mercury and air toxics standards (MATS), sources say."

### **Environmental Groups Sue EPA Over CAA Exemptions.**

Bloomberg BNA (9/8, Hijazi) reports the Natural Resources Defense Council, Sierra Club, and Environmental Integrity Project filed a suit against the EPA in the US District Court for the Northern District of California Wednesday "over a Clean Air Act exception that wipes certain pollution events off the map during sudden facility startups and shutdowns." Exemptions in the State Implementation Plans under the Clean Air Act "allow for emissions that are released from things like flaring from petroleum refineries and petrochemical facilities."

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## Brownfields/Superfund/Other Cleanups + Redevelopment

### **Atlanta Neighborhood Considered For Superfund National Priorities List.**

The Atlanta Journal-Constitution (9/8, Miller) reports the EPA is proposing Atlanta's English Avenue neighborhood for the Superfund National Priorities List. An EPA investigation begun in 2019 shows 311 out of 753 properties sampled "have shown levels of lead above 400 parts per million, the EPA threshold that calls for clean-up." Ninety-three properties have already been remediated. Lead-containing slag was used in the neighborhood as fill. A decision is expected in Spring 2022. EPA Administrator Michael S. Regan in a statement Wednesday, "EPA recognizes that no community deserves to have contaminated sites near where they live, work, pray, and go to school. By adding sites to the Superfund NPL, we are helping to ensure that more communities living near the nation's most serious uncontrolled or abandoned releases of contamination have the protection they deserve."

## **Four Sites Added To Superfund National Priority List.**

Bloomberg BNA (9/8) reports the Cherokee Zinc-Weir Smelter in Wier, KS; the Pioneer Metal Finishing Inc. site in Franklinville, NJ; the Billings PCE site in Billings, MT; and the Northwest Odessa Groundwater site in Odessa, TX "have joined the more than 100 federal sites on the Environmental Protection Agency's National Priority List." The total Superfund priority sites, "including sites being cleaned up by states or private companies, is more than 1,300."

## **WV City Proposed For Superfund List.**

The AP (9/9) reports the office of Sen. Joe Manchin (D-WV) said in a news release that the EPA proposed adding the groundwater of Paden City, WV to the list of Superfund cleanup sites. The town was found to have high levels of the solvent tetrachloroethylene, a likely carcinogen that is used in dry cleaning, in its water.

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# **Budget/Recovery Act**

## **Industry Groups Says Emissions Fee In Reconciliation Budget "Duplicative" With EPA Rules.**

Inside EPA (9/8) reports, "A coalition of national and local oil and gas groups and fuel users is citing EPA's current and planned methane emissions rules for the sector to oppose congressional Democrats' plan to enact a fee on such emissions in their pending budget 'reconciliation' package, calling the Capitol Hill proposal 'duplicative and unnecessary.' The industry pushback to the methane fee, led by the American Petroleum Institute (API), marks a rare case when industry is backing EPA regulation over other alternatives."

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# **Climate Change**

## **Study Shows Most Remaining Fossil Fuels Must Remain Unused To Limit Global Warming Below Critical Threshold.**

CNN International (9/8, Ramirez) reports a new study published in the journal Nature "found that nearly 60% of the planet's remaining oil and natural gas and 90% of its coal reserves should remain in the ground by 2050, underscoring that most regions around the world must reach peak fossil fuel production now or within the next decade to avoid the critical climate threshold." According to the researchers, their model accounts for how quickly global economies could move away from fossil fuels, though scientists

warned “that their findings may be an underestimate, since their model doesn’t consider future Earth system feedbacks, nor does it take into account underlying uncertainties around the deployment of technologies needed to curb emissions.”

## **California Recall Vote Could Reverse Some Of The State’s Ambitious Climate Policies.**

The *New York Times* (9/8, Plumer) reports, “California has long cast itself as a leader in the fight against global warming, with more solar panels and electric cars than anywhere else in the nation. But the state’s ambitious climate policies now face their biggest reckoning to date.” Many of the Republicans looking to replace Gov. Gavin Newsom in the state’s Sept. 14 recall election “want to roll back the state’s aggressive plans to curb its planet-warming emissions, a move that could have nationwide implications for efforts to tackle climate change given California’s influence as the world’s fifth-largest economy.”

## **Conservation Group Says It Will Only Support Democrats Who Back \$3.5T Reconciliation Package.**

The *Hill* (9/8, Schnell) reports that the League of Conservation Voters, “emphasizing the urgency for addressing climate change and contending that the infrastructure package can help the U.S. halve its carbon pollution by 2030,” says it will only endorse Democratic candidates in upcoming election cycles who support the multitrillion-dollar reconciliation spending package currently being negotiated on Capitol Hill.

## **House Natural Resources Committee Votes To Keep Funding For Civilian Climate Corps In Federal Budget.**

The *Washington Times* (9/8, Richardson) reports Democrats on the House Natural Resources Committee voted against an amendment last week proposed by Rep. Lauren Boebert (R-CO) that would have removed funding for the proposed Civilian Climate Corps. from the federal reconciliation budget. During a hearing, Boebert said, “There is absolutely no reason to funnel money toward a program like this when so many of our industries are already struggling to find workers.” Democrats “swung back by stressing the need to tackle long-neglected deferred-maintenance projects at national parks and forest management as wildfires consume millions of acres in the dry, overgrown Western forests.”

## **Environmental Groups Call For Delay Of COP26.**

*Politico* (9/8, Choi) reports, “The upcoming U.N. climate conference, COP26, is fast approaching, and there are still some major questions on whether the event should even proceed.” More than “1,500 green groups are now publicly demanding yet another delay amid the pandemic, arguing that going forward with the current Covid mitigation plans would be cost prohibitive for delegations from poorer countries who would have to quarantine on arrival in the U.K.” But the governments “of several poor countries are saying a delay would do more harm than good, citing the mounting urgency of climate change, POLITICO Europe’s Karl Mathiesen reports.” The Climate Vulnerable Forum, which is composed of developing countries that face significant risks from climate change, “sent out their own statement Tuesday demanding COP26 go ahead as planned, saying the toll of another delay would be too great.”

## **California Carbon Offset Program Allows Polluters To Outsource Obligations To Fight Climate Change.**

The *Los Angeles Times* (9/8, Halper) reports that, “as fire ripped through the Mendocino County hills the summer of 2018, burning a vast expanse of forest and turning buildings to ash, a curious thing was happening at Eddie Ranch, a sprawling property scorched by the flames.” Months after the fire, which “burned enough of Eddie Ranch to make nearly all of its planned carbon credits useless in the fight against global warming, the state of California allowed the operation to sell the credits to polluters.” Oil company PBF Energy “said it purchased the credits without checking their origin.” Activists, however, are “exasperated that state climate laws allow oil companies to use the arcane offset system to pollute” in their communities. The *Times* says “polluters use the program to outsource their obligations to fight global warming: The credits purchased from faraway forests allow them to claim greenhouse gases they release at their facilities are not hurting the planet.”

## **UAW Wary Of Biden’s Ambitious Electric Vehicle Plan.**

*CNN International* (9/8, Nilsen) reports that, in August, President Joe Biden “announced a target that by 2030, half of the vehicles sold in the United States will be battery electric, fuel-cell electric or plug-in hybrid.” But resistance to Biden’s plan “is coming from a surprising stakeholder: the United Autoworkers Union, one of Biden’s oldest political allies.” The union has long been concerned “about the shift to electric vehicles and its implication for jobs, with electric vehicles taking about 30% less labor to assemble than traditional internal combustion engine vehicles, industry experts have told CNN.”

## **Company Finds Product To Use Battery Technology After Ten Years Of Trying.**

*Bloomberg* (9/8, Baker) reports, “Next-generation battery company Sila Nanotechnologies Inc. finally has a product that consumers can take home – after 10 years of trying.” Sila’s technology will help “power a health and fitness-tracking wearable device from Whoop Inc., the companies announced Wednesday,” marking the “first time since Sila’s founding in 2011 that the firm’s technology has been included in a mass-produced device.” Sila is one of multiple upstart companies “trying to substantially improve the performance of lithium-ion batteries, which power everything from phones to cars.”

## **Chevron, Delta, Google To Measure Emissions Data From Sustainable Aviation Fuel.**

The *Houston Chronicle* (9/8, de Luna) reports, “Chevron intends to produce aviation biofuel, sell it to Delta Air Lines and track the emissions via Google Cloud, the three companies said Tuesday.” Chevron will create a test batch of the fuel at its El Segundo Refinery, then “Delta will use it at Los Angeles International Airport, a major global hub for Delta’s fleet.” The fuel is “produced from feedstocks such as cooking oil and animal fat to reduce carbon emissions compared to petroleum-based jet fuels.” Google will build a data framework “and use cloud-based technology to track the test batch of the fuel for Chevron and Delta for potential greenhouse gas emissions reductions.” For Chevron, “the data from the partnership with Delta and Google will help the company better understand the emissions from renewable aviation fuel production and delivery, supporting its goal to advance lower carbon fuels, Andy Walz, president of Americas Fuels & Lubricants for Chevron, said.”

Axios (9/8, Geman) reports the companies said they “hope to create a common, more transparent model for analyzing potential greenhouse gas emissions reductions that could then be adopted by organizations considering SAF programs.”

## **ABB Unveils New High-Power Charging Solution For Mining Sector Equipment.**

Mining Technology (9/8) reports, “The ABB Ability eMine FastCharge provides high-power electric charging for haul trucks.” Swiss automation firm ABB has “introduced ABB Ability eMine, a new portfolio of electrification and digital systems to accelerate decarbonisation in the mining sector.” The “zero-carbon mine offering has the capacity to electrify mining equipment across hauling, hoisting, grinding and material handling, from mine to port.” ABB said in a statement: “Charging time will depend on the battery capacity on board the haul truck and the operational profile, however in many instances a suitable state of charge could be reached within 15 minutes.” Also included in the “new portfolio is the ABB Ability eMine Trolley System, which can cut diesel consumption by up to 90%.”

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## **Editorial/Op Ed/Commentary/Letters**

### **Cruz And Santiago: Biden Climate Legacy May Depend On Who He Appoints To Lead FERC.**

In an op-ed for *The Hill* (9/8), Sierra Club President Ramón Cruz and White House Environmental Justice Advisory Council member Ruth Santiago write that, “while President Joe Biden is taking important steps to reduce fossil fuel pollution and make our infrastructure more resilient in the face of extreme weather, his true climate legacy may rest on who he appoints” to lead the Federal Energy Regulatory Commission (FERC). They argue that “Biden has an opportunity to nominate a Democratic climate champion who, if confirmed, can join the two incumbent Democrats to form a pro-climate and pro-environment majority.” Unfortunately, write Cruz and Santiago, “he is facing tremendous industry pressure to nominate someone who would maintain the status quo of fracked gas development – supported by the two sitting Republicans.”

### **Creasman: California Climate Legislation Fell Victim To Oil And Gas Interests.**

In an op-ed for the *Sacramento (CA) Bee* (9/8), California League of Conservation Voters CEO Mary Creasman argues that recent disasters such as drought and wildfires “call for California leaders to show unparalleled courage in confronting the climate crisis – and the big oil and gas interests driving it.” Instead, she contends, “key leaders in the state Senate protected a status quo of fossil fuel reliance” and blocked “crucial legislation to keep drilling pollution away from marginalized neighborhoods and to phase out production of oil and gas.” Not coincidentally, Creasman writes, “three Democrats – Majority Leader Bob Hertzberg of Los Angeles, Energy Chair Ben Hueso of San Diego and President Pro Tem Toni

Atkins of San Diego – together raked in hundreds of thousands of dollars in campaign donations from oil and gas interests over their careers.”

### **Orszag: US Carbon Border Adjustment Proposal Is Needlessly Complicated.**

Bloomberg (9/8) contributor Peter Orszag says it would be needlessly complicated for the US to implement a carbon border adjustment mechanism without also implementing a domestic carbon pricing system. Orszag says this approach “would have an odd political economy effect: It would indirectly reveal a carbon price for the U.S. That fact is worth highlighting, because a key reason the U.S. has been unable to impose a national carbon tax or permit trading system is skittishness over the potential political attacks it would bring.” He adds, “If we can handle revealing a carbon price through a border adjustment mechanism, why not just take the more direct route by setting a carbon price in the first place?” Orszag concludes, “A carbon price may not be the panacea it’s sometimes presented as in Econ 101 discussions. ... But the border adjustment mechanism illustrates how much more complicated we make things by being unwilling to simply and directly impose a price on carbon.”

### **Calhoun: California Is Wise To Turn To Natural Gas To Prevent Rolling Blackouts.**

In an op-ed for the *Fort Myers (FL) News-Press* (9/8), Florida Natural Gas Association Executive Director Dale Calhoun writes that, “in recent years, local governments” across California “have banned natural gas in favor of renewable energy alternatives.” As a result, energy costs in the state have skyrocketed and “residents are enduring rolling blackouts.” Calhoun says “things are so dire, California Governor Gavin Newsom was forced to declare a state of emergency for the power grid.” Now, state officials “scrambling to shore up power resources are turning to natural gas to save them.” This, Calhoun argues, is “a smart policy move by California,” as “natural gas is clean, affordable and reliable.”

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## **Energy Issues**

### **Researchers Say Majority Of Fossil Fuel Reserves Should Be Left In The Ground To Meet Environmental Goals.**

The AP (9/8, Costley) reports researchers from University College London said in a study in the journal *Nature* on Wednesday that the majority of remaining global oil, natural gas, and coal reserves should be left in the ground in order to meet the goals of the Paris Climate Agreement. The researchers “say earlier estimates, published in 2015, had to be updated.” They now “calculate that nearly 60% of the world’s oil and gas reserves and 90% of the coal reserves need to stay in the ground by 2050 to meet climate goals of the Paris Climate Agreement.” *Axios* (9/8, Freedman) provides additional coverage.

### **Entergy Faces Criticism Over Failures To Adapt To Climate Change.**



National Geographic (9/8, Juhasz) reports in continuing coverage that Entergy is facing criticism over its failure adequately address climate change. Critics “contend that Entergy has not only failed to adequately adapt its energy model to the climate crisis, ...it has also fought aggressively against readily available solutions, such as solar power.” In an interview, Entergy spokesman Neal Kirby said, “Entergy has long believed climate change poses a significant risk to our region, our business, our society, and our planet.” Kirby “cited an Entergy plan for at least 5,000 megawatts of renewable energy by 2030 and net-zero carbon emissions by 2050 using, among other means, carbon capture and sequestration, and reducing coal in favor of increased natural gas and nuclear energy.”

## **Biden Administration Releases Plan To Produce Almost Half Of US Electricity From Solar By 2050.**

The New York Times (9/8, Penn) reports that the Biden Administration “on Wednesday released a plan to produce almost half of the nation’s electricity from the sun by 2050 as part of its effort to combat climate change.” The administration’s goal of 45 percent, up from 4 percent last year, “would represent a huge leap and will most likely take a fundamental reshaping of the energy industry.” The Energy Department “said the country needed to double the amount of solar energy installed every year over the next four years compared with last year. And then it will need to double annual installations again by 2030.” The Times adds that “many of the details will ultimately be decided by lawmakers in Congress, which is working on a bipartisan infrastructure bill and a much larger Democratic measure that could authorize \$3.5 trillion in federal spending.” CNN (9/8, Nilsen) reports that a new Department of Energy analysis “lays out a blueprint for how the administration could achieve that goal using solar energy, but Biden’s administration is also pursuing other forms of renewable energy, including wind.” The Hill (9/8, Budryk) carries further coverage.

## **Vermont Solar Services Company Acquires SunCommon.**

The AP (9/8) reports that Vermont solar and data services company iSun “said Wednesday it has acquired a business that provides solar energy to home and commercial properties in a \$40 million cash and stock deal.” iSun Chairman Jeffrey Peck “said the acquisition of SunCommon in Waterbury honors his company’s 50-year legacy of technological innovation.” SunCommon “provides solar energy to home and commercial properties” in both Vermont and New York.

## **FERC Invites Renewable Energy Developers To File Comments On Experiences With Interconnection.**

Renewable Energy World (9/8, Konidena) reports that “renewable energy developers have until Oct. 12 to file comments with the Federal Energy Regulatory Commission about their experiences with interconnection.” The Advance Notice of Proposed Rulemaking (ANOPR) “provides a forum for small and large developers to voice their concerns with RTO interconnection rules.” This ANOPR is an “opportunity that combines both transmission planning and generator interconnection planning.”

## **US Wind Energy Sector Expanded By 16 GW During 2020.**

The Hill (9/8, Kelley) reports, “The wind power sector is booming in the U.S., with a new report from the U.S. Department of Energy (DOE) highlighting the growth of wind energy operations in the nation, as part of President Biden’s larger plan to get the U.S. to net zero emissions by 2035.” More than “16,000

megawatts of U.S. wind power-generating capacity was installed in 2020, a record yearly figure.” It marks the “first time wind power developments outpaced solar power installations, culminating in \$24.6 billion in investment across 25 states.” Energy Secretary Jennifer M. Granholm, “These reports contain such terrific news: the U.S. installed a record-breaking amount of land-based wind energy last year. They underscore both the progress made and the capacity for much more affordable wind power to come — all necessary to reach President Biden’s goal of a decarbonized electricity sector by 2035.”

## **Electrolyzer Manufacturer Predicts Green Hydrogen Will Come Online Faster Than Most Expect.**

S&P Global Platts (9/8, Burgess) reports the CEO of electrolyzer specialist Nel on Wednesday predicted that blue hydrogen has a role to play in the energy transition, but the market underestimated how quickly green hydrogen can be mobilized. Nel CEO Jon Andre Lokke “said blue hydrogen...would be needed in the energy transition alongside green hydrogen powered by renewable electricity, as the size of projected demand was so large.” However, green hydrogen projects will likely come online and be cost-competitive with gray hydrogen even before large-scale blue hydrogen projects are commercially operating.

## **Talos Energy Working Alongside State, Federal Authorities To ID Owner Of Oil Pipeline Behind US GoM Leak.**

Natural Gas Intelligence (9/8) reports in continuing coverage that Talos Energy is working with the US Coast Guard and Louisiana state officials “to identify the owner of an oil pipeline that appears to be leaking in Louisiana state waters.” On Tuesday, Talos “said it continued to lead the efforts to contain and control the oil release, which likely occurred following Hurricane Ida on Aug. 29.” Talos has confirmed via physical inspections and by subsea sonar scans “that...its assets were not the source or cause of the release.”

## **Interior Department To Review, Possibly Replace, Trump-Era Plan For Opening National Petroleum Reserve-Alaska To Exploration.**

The Anchorage (AK) Daily News (9/8) reports the Biden Administration on Tuesday announced plans for the Interior Department to review and potentially replace a pre-existing management plan for the National Petroleum Reserve-Alaska. The previous plan was put into place by the Trump Administration, and would “put millions more acres on the table for possible oil and gas development” if it remains in place. However, an initial assessment by the Interior Department shows that the Trump-era plan “conflicts with President Joe Biden’s executive order in January to reduce greenhouse gas emissions, according to a legal memorandum filed in a U.S. District Court case in Anchorage on Tuesday.”

Further coverage is provided by Reuters (9/8).

## **AK Supreme Court Rules Regulators Improperly Rejected Petition For Hearing On 2017 Pipeline Leak.**

Offshore Engineer (9/8, Rosen) reports the Alaska Supreme Court ruled Friday that the Alaska Oil and Gas Conservation Commission (AOGCC) improperly rejected a petition for a hearing on a 2017 natural gas leak from a pipeline in the Cook Inlet owned by Hilcorp. The AOGCC “provided ‘no supporting evidence’ to back its claim that it lacked jurisdiction over the 2017 pipeline leak, the court said.” In its

decision, the court said, “The Commission’s statements about having investigated whether the leak was waste are wholly unsupported.”

## **Poll Shows Most Pennsylvanians Want Fracking To End.**

The *Pittsburgh City Paper* (9/8, Deto) reports that “according to a recent poll commissioned for the sustainably-minded think tank Ohio River Valley Institute, 55% of Pennsylvania voters support the immediate or eventual end of [fracking] in the commonwealth.” The poll was conducted “by progressive polling firm Data for Progress, and it says that 25% of Pennsylvanians say that fracking should end as soon as possible and another 30% of Pennsylvanians say it should be phased out over time.” Just 31% of state residents “support maintaining fracking in the state.”

## **WY Oil And Natural Gas Groups Allege DOI Not Complying With Federal Court Order.**

Natural Gas Intelligence (9/8, Baker) reports the Western Energy Alliance and the Petroleum Association of Wyoming filed a merits brief in the Wyoming District Court on August 30 alleging that the Department of the Interior is not moving quickly enough to comply with a court order issued in June requiring it to resume federal oil and natural gas lease sales. The groups’ brief “states that the Bureau of Land Management (BLM) has canceled all oil and gas lease sales ‘that were or should have been scheduled for 2021 in violation of’ DOI’s statutory obligations ‘and without adequate explanation.’” The brief “cites lease sales that were postponed or canceled by BLM’s Nevada, Colorado, Montana/Dakotas, Utah, Wyoming, Eastern States and New Mexico offices.”

## **Carbon Neutral LNG Demand Rising Despite Criticism.**

Bloomberg (9/8) reports carbon neutral LNG cargoes are increasingly popular among Asian buyers despite lingering questions around the efficacy of associated carbon offsets. In the past month, “BP Plc and Malaysia’s Petroliaam Nasional Bhd delivered so-called green cargoes to customers in Taiwan and Japan, respectively.” Overall, “twice as many ‘carbon neutral’ LNG shipments have changed hands so far this year than 2019 and 2020 combined, according to a tracker by BloombergNEF.” However, no industrywide standard yet exists for quantifying emissions from LNG, “nor is there government oversight to ensure that offsets come from projects and deliver the carbon savings promised.”

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# **HQ Amplification**

## **EPA Science Advisory Board Almost Ready To Meet Again.**

Agri-Pulse ([Request Article](#)) (9/8, Davies) reports the EPA Science Advisory Board will start meeting again later this year, after being “dormant” so far under the Biden Administration. An agency spokesperson said the final hires for the 47-member board are underway now. The board, made up of 25 men, 22 women, and 16 people of color, will “tackle climate change and environmental justice issues” and “work on diverse topics important to EPA’s mission.”

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## Toxics

### **EPA To Propose First-ever ‘Forever Chemical’ Discharge Limits.**

The Hill (9/8, Frazin) reports the EPA on Wednesday announced “that it will propose a rule to set the first-ever limits on the amounts of chemicals called PFAS [that] can be discharged.” In the new plan, released on Wednesday, the agency “affirmed that it would propose a rule setting limits for PFAS wastewater discharges from facilities that manufacture the substances, as well as from chromium electroplating facilities.” The plan also “illustrates one way that EPA is following science to better protect public health and the environment,” Assistant Administrator for Water Radhika Fox said in a statement. She continues, “Importantly and for the first time, EPA is committing to limit PFAS in wastewater discharges.”

Also reporting is Bloomberg BNA (9/8, Magill).

### **California Bill Banning PFAS In Packaging Heads To Governor.**

Bloomberg BNA (9/8, Rizzuto) reports California legislation “banning ‘forever chemicals’ from food packaging and requiring disclosure of their presence in cookware is headed to California Gov. Gavin Newsom (D).” The governor’s office has “declined to comment on his plans for signing the bill.” The bill, which has passed both the state Assembly and Senate, “would broadly define PFAS covering many chemicals and would ban the chemicals as of Jan. 1, 2023, from plant-based food packaging, such as paper or bamboo.” If the bill is signed, California “will join Connecticut, Maine, Minnesota, New York, Vermont, and Washington state in banning PFAS in food packaging.”

### **Lawmakers, Firefighter Union Work In Tandem To Get PFAS Out Of Their PPE.**

Inside EPA (9/8) reports, “Lawmakers and firefighters seeking to eliminate per- and poly-fluoroalkyl substances (PFAS) from first responders’ personal protective equipment (PPE) are advancing measures to boost safer alternatives, including a new legislative push in Congress and efforts by a firefighting union to repeal safety standards seen as requiring PFAS. The dual-track efforts to directly boost adoption of PFAS-free firefighting PPE mark an escalation of prior strategies that focused largely on funding research into alternative technologies.”

### **EPA Planning To Revise Discharge Limits For Metal Finishing, Slaughterhouses.**

Inside EPA (9/8) reports, “EPA is planning to revise technology-based limits on discharges from the chemical manufacturing and metal finishing sectors to address per- and polyfluoroalkyl substances (PFAS) for the first time, and to revise discharge limits for slaughterhouses to reduce nutrients, handling

a win to environmentalists who are pushing to toughen such standards. The agency Sept. 8 released its Preliminary Effluent Guidelines Program Plan 15.”

## **EPA Proposes Broader TSCA Evaluation Of D4.**

Inside EPA (9/8) reports, “EPA is proposing to expand the scope of its TSCA evaluation of the widely-used chemical octamethylcyclotetra-siloxane (D4) beyond what manufacturers requested, floating plans to include several uses environmentalists and automakers urged the agency to consider that could lead to federal preemption of future state policies. The agency posted its proposed scope for the D4 risk evaluation on Sept. 8, detailing the various conditions of use EPA will scrutinize for ‘unreasonable risks’ in a Toxic Substances Control Act (TSCA) evaluation.”

Bloomberg BNA (9/8, Rizzuto) also reports.

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## **Water**

### **Michigan Gov. Wants \$200M To Replace Lead Water Pipes; Benton Harbor To Ask EPA To Provide Bottled Water For Drinking.**

The AP (9/8, Eggert) reports that Michigan Gov. Gretchen Whitmer on Wednesday “proposed spending \$200 million in federal pandemic relief funding to replace lead water pipes across Michigan, where aging underground infrastructure was exposed by Flint’s disaster.” Included in the plan is \$20 million to replace the lead water pipe lines in Benton Harbor, Michigan within five years. Near the end of the article, the AP reports that that some in the Benton Harbor community, “while appreciative [of the \$20 million], said it is not enough. The Rev. Edward Pickney, president of the Benton Harbor Community Water Council, said he and environmental groups on Thursday will ask the Environmental Protection Agency to provide bottled water or another source of safe drinking water — such as water trucks — until lead pipes are gone.”

Amid its coverage of Whitmer’s plan, the Detroit News (9/8, Fleming) reports that Elin Betanzo, a former EPA official and water quality expert “who helped expose the Flint water crisis, applauded the effort and said it’s urgent to move quickly. ‘The state Legislature needs to approve the new funding to get the lead lines out because no one should be drinking water from a lead service line,’ she said. ‘It’s also critical that the U.S. Congress fully fund lead service line replacement in the budget reconciliation.’”

In broader coverage, Center Square (IL) (9/8, Walker, Square) reports that Whitmer’s proposal would expand the MI Clean Water Plan, with funding for the expansion coming “from federal funds allocated the state from the American Rescue Plan as well as other federal, state and local resources.” The \$200 million “would expand upon the current \$102 million in the MI Clean Water Plan. A news release issued by the governor and EGLE asserts the \$302 million total will be used to ‘replace thousands of pipes in hundreds of communities,’ but still will not be enough to complete the task.” Indeed, Whitmer and the Department of Environment, Great Lakes, and Energy (EGLE) are “anticipating the state’s share of

President Joe Biden's proposed Infrastructure Investment and Jobs Act, which would allocate \$15 billion nationwide for lead service line replacement."

### **Pre-2015 WOTUS Finds Some Support In Comments.**

Inside EPA (9/8) reports, "Two decades after the Supreme Court first targeted EPA's regulatory definition of the waters of the United States (WOTUS), some groups are urging Biden officials to return to the original measures that were in place at the time though industry and environmentalists are pushing for a return to the Trump or Obama definitions, respectively. In recently filed comments, drinking water utilities say neither the Trump nor Obama administrations adequately addressed some of their concerns."

### **Fox Says New WOTUS Definition Will Factor In Climate Change.**

Bloomberg BNA (9/8, Magill) reports EPA Assistant Administrator for Water Radhika Fox said Wednesday that "the ways climate change is altering water bodies both nationally and regionally – as well as the notion of 'lived experience' – will factor heavily into" the Biden Administration's definition of WOTUS. Fox was speaking at a virtual conference of the Environmental Council of the States.

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## Message

**From:** Lance, Kathleen [Lance.Kathleen@epa.gov]  
**Sent:** 1/18/2022 7:18:21 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]; McCabe, Janet [McCabe.Janet@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Morgan, Ashley [Morgan.Ashley.M@epa.gov]  
**Subject:** FW: Video-call: Meeting with Gina McCarthy  
**Attachments:** 2022 01 13 Meeting w Gina McCarthy on Power Sector.pptx

All – this meeting with Gina has been rescheduled for 3:00PM on Friday, 1/21.

**Joe – are any updates needed for the attached slides?**

Kindly,

Kathleen C. Lance  
 Director of Scheduling and Advance  
 U.S. Environmental Protection Agency  
 Cell: (202) 941-1109

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**From:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Sent:** Wednesday, January 12, 2022 10:08 AM  
**To:** Lance, Kathleen <Lance.Kathleen@epa.gov>  
**Cc:** scheduling <scheduling@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>  
**Subject:** RE: Video-call: Meeting with Gina McCarthy

Hey Kathleen,  
 Attached are the slides and Briefing Memo for Thursday's meeting with Gina McCarthy. I know you're checking in with Dan on the need for the Memo, so please feel free to scrap it if it's not necessary. It mostly has language the Administrator and others have seen in previous briefings and all the useful information is in the slide deck.

Thanks!

Eunjung Kim  
 Special Assistant  
 Office of Air and Radiation  
 Environmental Protection Agency  
 (202) 815-7252

-----Original Appointment-----

**From:** scheduling <scheduling@epa.gov>  
**Sent:** Tuesday, January 11, 2022 9:43 AM  
**To:** scheduling; Utech, Dan; McCabe, Janet; Goffman, Joseph  
**Subject:** Video-call: Meeting with Gina McCarthy  
**When:** Thursday, January 13, 2022 4:00 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada)  
**Where:** <https://pitc.zoomgov.com>

**Ex. 6 Personal Privacy (PP)**

-Administrator Regan

Virtual:  
 -Gina McCarthy  
 -Ali Zaidi

-Deputy Administrator Janet McCabe

-Dan Utech

-Joe Goffman



Hi there,

Arianna Menzelos (she/her) is inviting you to a scheduled ZoomGov meeting.

### Join Zoom Meeting

One tap  
mobile:

Meeting  
URL:  
Meeting  
ID:  
Passcode:

**Ex. 6 Personal Privacy (PP)**

### **Join by Telephone**

For higher quality, dial a number based on your current location.

Dial:

Meeting  
ID:  
Passcode:

**Ex. 6 Personal Privacy (PP)**

### International numbers

### **Join from an H.323/SIP room system**

H.323:

Meeting  
ID:  
Passcode:  
SIP:  
Passcode:

**Ex. 6 Personal Privacy (PP)**





## Message

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 1/21/2022 10:19:25 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]  
**Subject:** FOR YOUR REVIEW: Prep for OMB Quarterly  
**Attachments:** Actions projected to go to OMB by April 30\_OAR.docx; Actions that were included in the Fall 2021 Regulatory Plan\_OAR.xlsx

Joe, please find attached a word doc for your review showing the proposed changes (including additions) to the schedules for rules headed to OMB between now and April 30. In total there are approximately 27 actions, roughly 7 of which we are seeking expedited review. This does not include actions already at OMB. Also included is the PM action which will fall right outside the scope of this review. However, not included is the oil & gas supplemental, which also falls right outside the scope of this review but I think we may want to include for awareness sake.

The excel document for your review simply adds actions which are agency priorities in 2022 but were not identified in the fall reg agenda.

Both are in RLSO to show the changes should you have questions. OP has set a deadline of 1/25 but would prefer the sooner the better as I understand the DA is looking for information from this pull as well. So, when you are comfortable with these, I will send to OP.

Another clean report will be pulled prior to the actual quarterly that I can take and color code/annotate for your presentation. For the moment, we just need to be comfortable with the schedules and that the priorities identified are accurate.

Let me know if you have any questions. Thank you.

Ann (Campbell) Ferrio  
 Chief of Staff  
 EPA/Office of Air and Radiation  
 Office: 202 566 1370

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**From:** Campbell, Ann  
**Sent:** Tuesday, January 18, 2022 11:05 AM  
**To:** Iglesias, Amber <Iglesias.Amber@epa.gov>; Chang, Alice <Chang.Alice@epa.gov>; Culligan, Kevin <culligan.kevin@epa.gov>; Herbolsheimer, Courtney <herbolsheimer.courtney@epa.gov>; Jessica Mroz (mroz.jessica@epa.gov) <mroz.jessica@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Phillips, Tuana <phillips.tuana@epa.gov>; Lau, Patrick <Lau.Patrick@epa.gov>; Graff, Michelle <graff.michelle@epa.gov>  
**Cc:** John Shoaff (Shoaff.John@epa.gov) <Shoaff.John@epa.gov>; Lubetsky, Jonathan <Lubetsky.Jonathan@epa.gov>; Mcquilkin, Wendy <Mcquilkin.Wendy@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; Olson, Heather <Olson.Heather@epa.gov>; Hockstad, Leif <Hockstad.Leif@epa.gov>  
**Subject:** ACTION: Prep for OMB Quarterly - due Noon Friday

All – it's that time again – the OMB quarterly! Please provide an RLSO of the word doc (in sharepoint) and include the requested information on expedited review(s) by noon Friday. As requested, please also be sure to make any changes in EAMS. The word doc will be used for leadership review, but OP will pull a new report from EAMS for the quarterly. OP has also requested that we review and update, as needed, the attached Excel spreadsheet which includes our priorities from the Fall Reg Agenda.

Please let me know if you have any questions. Thank you!

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

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**From:** Nickerson, William <Nickerson.William@epa.gov>

**Sent:** Friday, January 14, 2022 2:42 PM

**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>

**Cc:** Hofmann, Angela <Hofmann.Angela@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Lousberg, Macara <Lousberg.Macara@epa.gov>; Trombley, Michael <Trombley.Michael@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Banks, Dawn <Banks.Dawn@epa.gov>; Mattick, Richard <Mattick.Richard@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Kramer, Melissa <Kramer.Melissa@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Sughrue, Karen <Sughrue.Karen@epa.gov>; Corrales, Mark <Corrales.Mark@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>

**Subject:** in preparation for a meeting with OMB in early February

Hello –

OMB has requested to meet with EPA in early February to get a preview of the actions we will soon be sending for interagency review and to discuss regulatory priorities for 2022. In order to begin preparing for the meeting we have created the attached documents, based on information currently in EAMS.

The attached Word document provides information on actions that are expected to go to OMB for review between now and April 30, 2022. Please examine this list and make sure it is complete. If dates need to be added or changed, or information about deadlines needs to be revised, please make the updates in EAMS. This list includes actions that we anticipate could be reviewed by OMB even if they have not yet been formally deemed significant under EO 12866. You'll notice that the document also contains a column for the reason and duration for any expedited reviews. Please use this column in the Word document to indicate if we intend to request expedited review, and if so, the duration of and reason for the expedited review.

The attached Excel document includes the list of actions EPA identified as regulatory priorities in the Fall Regulatory Plan. Please update this file by adding or deleting actions to reflect current regulatory priorities for 2022.

Please ask that your staff make any necessary updates to EAMS by January 25th. If you or your staff have any questions, please let me or Caryn Muellerleile know and we would be happy to assist.

Thank you in advance for your help.

Bill

William (Bill) Nickerson  
Director, Office of Regulatory Policy and Management  
Office of Policy  
Phone: (202) 566-0326

## Message

**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 1/25/2022 2:08:48 PM  
**To:** Nickerson, William [Nickerson.William@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Shoaff, John [Shoaff.John@epa.gov]  
**Subject:** RE: in preparation for a meeting with OMB in early February  
**Attachments:** Actions projected to go to OMB by April 30\_OAR2.docx; Actions that were included in the Fall 2021 Regulatory Plan\_OAR.xlsx

Bill, as requested, please find attached OAR response to this request. EAMS has been updated accordingly. Please let me know if you have any questions.

Thank you.

Ann (Campbell) Ferrio  
 Chief of Staff  
 EPA/Office of Air and Radiation  
 Office: 202 566 1370

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**From:** Nickerson, William <Nickerson.William@epa.gov>  
**Sent:** Friday, January 14, 2022 2:42 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>; Waterhouse, Carlton <Waterhouse.Carlton@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Cc:** Hofmann, Angela <Hofmann.Angela@epa.gov>; Smith, Peterj <Smith.Peterj@epa.gov>; Lousberg, Macara <Lousberg.Macara@epa.gov>; Trombley, Michael <Trombley.Michael@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Banks, Dawn <Banks.Dawn@epa.gov>; Mattick, Richard <Mattick.Richard@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Kramer, Melissa <Kramer.Melissa@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>; Sughrue, Karen <Sughrue.Karen@epa.gov>; Corrales, Mark <Corrales.Mark@epa.gov>; Maignan, Tawanda <Maignan.Tawanda@epa.gov>; Pritchard, Eileen <Pritchard.Eileen@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Subject:** in preparation for a meeting with OMB in early February

Hello –

OMB has requested to meet with EPA in early February to get a preview of the actions we will soon be sending for interagency review and to discuss regulatory priorities for 2022. In order to begin preparing for the meeting we have created the attached documents, based on information currently in EAMS.

The attached Word document provides information on actions that are expected to go to OMB for review between now and April 30, 2022. Please examine this list and make sure it is complete. If dates need to be added or changed, or information about deadlines needs to be revised, please make the updates in EAMS. This list includes actions that we anticipate could be reviewed by OMB even if they have not yet been formally deemed significant under EO 12866. You'll notice that the document also contains a column for the reason and duration for any expedited reviews. Please use this column in the Word document to indicate if we intend to request expedited review, and if so, the duration of and reason for the expedited review.

The attached Excel document includes the list of actions EPA identified as regulatory priorities in the Fall Regulatory Plan. Please update this file by adding or deleting actions to reflect current regulatory priorities for 2022.

Please ask that your staff make any necessary updates to EAMS by January 25th. If you or your staff have any questions, please let me or Caryn Muellerleile know and we would be happy to assist.

Thank you in advance for your help.

Bill

William (Bill) Nickerson  
Director, Office of Regulatory Policy and Management  
Office of Policy  
Phone: (202) 566-0326

Message

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**From:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Sent:** 1/25/2022 8:24:06 PM  
**To:** Millett, John [Millett.John@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** FW: MATS Friday

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**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:23 PM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** MATS Friday

Team – we have been ok-ed to get the MATS appropriate and necessary finding out on Friday. Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP) need to do some notifications. I'm sure OAR can handle most of the rollout planning but I'm flagging it for OPA, OPEEE, OCIR. Thanks, Dan

## Message

**From:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Sent:** 1/25/2022 8:27:23 PM  
**To:** Culligan, Kevin [Culligan.Kevin@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Millett, John [Millett.John@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]  
**CC:** Campbell, Ann [Campbell.Ann@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]  
**Subject:** RE: MATS Friday

Dan alerted Vicki separately – thanks Kevin

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**From:** Culligan, Kevin <Culligan.Kevin@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:26 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Millett, John <Millett.John@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>  
**Cc:** Campbell, Ann <Campbell.Ann@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>  
**Subject:** RE: MATS Friday

Thanks Joe – great news. Does OP know yet? I don't see them on Dan's e-mail.

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:25 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Millett, John <Millett.John@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>  
**Cc:** Campbell, Ann <Campbell.Ann@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>  
**Subject:** RE: MATS Friday

Plus Ann and Dan

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Goffman, Joseph  
**Sent:** Tuesday, January 25, 2022 3:24 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Millett, John <Millett.John@epa.gov>; Culligan, Kevin <culligan.kevin@epa.gov>; Peter Tsirigotis (Tsirigotis.Peter@epa.gov) <Tsirigotis.Peter@epa.gov>; Mike Koerber (Koerber.Mike@epa.gov) <Koerber.Mike@epa.gov>  
**Subject:** FW: MATS Friday

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:23 PM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>

**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>

**Subject:** MATS Friday

Team – we have been ok-ed to get the MATS appropriate and necessary finding out on Friday. **Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)** need to do some notifications. I'm sure OAR can handle most of the rollout planning but I'm flagging it for OPA, OPEEE, OCIR. Thanks, Dan



Message

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**From:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Sent:** 1/25/2022 8:27:59 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Millett, John [Millett.John@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]; Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]  
**CC:** Hooper, Daniel [hooper.daniel@epa.gov]  
**Subject:** RE: MATS Friday

And has anyone notified OMB?

Ann (Campbell) Ferrio  
 Chief of Staff  
 EPA/Office of Air and Radiation  
 Office: 202 566 1370

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:25 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Millett, John <Millett.John@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Tsirigotis, Peter <Tsirigotis.Peter@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>  
**Cc:** Campbell, Ann <Campbell.Ann@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>  
**Subject:** RE: MATS Friday

Plus Ann and Dan

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

---

**From:** Goffman, Joseph  
**Sent:** Tuesday, January 25, 2022 3:24 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Millett, John <Millett.John@epa.gov>; Culligan, Kevin <culligan.kevin@epa.gov>; Peter Tsirigotis (Tsirigotis.Peter@epa.gov) <Tsirigotis.Peter@epa.gov>; Mike Koerber (Koerber.Mike@epa.gov) <Koerber.Mike@epa.gov>  
**Subject:** FW: MATS Friday

Joseph Goffman  
 Principal Deputy Assistant Administrator  
 Office of Air and Radiation  
 U.S. Environmental Protection Agency

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**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:23 PM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** MATS Friday

Team – we have been ok-ed to get the MATS appropriate and necessary finding out on Friday. **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** need to do some notifications. I'm sure OAR can handle most of the rollout planning but  
I'm flagging it for OPA, OPEEE, OCIR. Thanks, Dan

Message

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**From:** McCabe, Janet [McCabe.Janet@epa.gov]  
**Sent:** 1/25/2022 8:28:50 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Cassidy, Alison [Cassady.Alison@epa.gov]; Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**Subject:** RE: MATS this week

Here's Ex. 5 Deliberative Process (DP)

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**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Tuesday, January 25, 2022 2:35 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>; McCabe, Janet <McCabe.Janet@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Subject:** MATS this week

Spoke to Gina and Ali. Ex. 5 Deliberative Process (DP)

## Message

**From:** Enobakhare, Rosemary [Enobakhare.Rosemary@epa.gov]  
**Sent:** 1/25/2022 8:56:41 PM  
**To:** Niebling, William [Niebling.William@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Subject:** RE: MATS Friday

Thanks for the update Dan.

---

**From:** Niebling, William <Niebling.William@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:53 PM  
**To:** Utech, Dan <Utech.Dan@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** RE: MATS Friday

Excellent; Ex. 5 Deliberative Process (DP)

---

**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Tuesday, January 25, 2022 3:23 PM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** MATS Friday

Team – we have been ok-ed to get the MATS appropriate and necessary finding out on Friday. Ex. 5 Deliberative Process (DP)  
Ex. 5 Deliberative Process (DP) need to do some notifications. I'm sure OAR can handle most of the rollout planning but I'm flagging it for OPA, OPEEE, OCIR. Thanks, Dan

Message

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**From:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**Sent:** 1/26/2022 10:33:27 PM  
**To:** Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Wachter, Eric [Wachter.Eric@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** RE: MATs Signing Time

Hi Lindsay – I think the plan was to not have them conclude til Friday morning making it impossible for him to sign it in the morning as it needs to go through OAR and OP and be sent up and he's on the road. I projected a 2 pm time if Dan can make that work.

Vicki

---

**From:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Sent:** Wednesday, January 26, 2022 5:28 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Wachter, Eric <Wachter.Eric@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Subject:** MATs Signing Time

Hi folks,

We're on a call planning the MATs release and rollout timing and we're wondering about anticipated timing for the Administrator signature given Friday travel.

Can he sign it Friday morning? Would like to get a release out before noon if possible. OAR folks also wondering if he needs to sign on Thursday and the mechanics of that.

Thanks,  
Lindsay

Message

---

**From:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**Sent:** 1/27/2022 1:49:25 PM  
**To:** Utech, Dan [Utech.Dan@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Subject:** RE: Admin wants to do MATS monday

Dan – It is a proposal. On with Joe now...reaching out to OIRA

---

**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Thursday, January 27, 2022 8:48 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Subject:** Admin wants to do MATS monday

## Message

**From:** Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]  
**Sent:** 1/29/2022 4:32:28 PM  
**To:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Cassady, Alison [Cassady.Alison@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** RE: Release for Monday - MATS  
**Attachments:** MATS PR 1.29.22 updated draft.docx

Joe and I also consulted on this and I resolved edits and comments. A new headline is in the attached draft.

I cleaned it up and added comments in here to go back to the WH team and explain the latest updates.

Let me know of any further flags.

Thanks!

---

**From:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Sent:** Saturday, January 29, 2022 11:27 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Cc:** Cassady, Alison <Cassady.Alison@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>  
**Subject:** RE: Release for Monday - MATS

That looks best to me too

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Saturday, January 29, 2022 11:11 AM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Cc:** Cassady, Alison <Cassady.Alison@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** RE: Release for Monday - MATS

EPA Reaffirms Scientific, Economic, and Legal Underpinnings of Limits on Toxic Power Plant Emissions

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Sent:** Saturday, January 29, 2022 11:05 AM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Cassady, Alison <Cassady.Alison@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** RE: Release for Monday - MATS

The headline change will be an issue. Rest looks good to me.

We can try a do-over on the headline. Some alternatives we could consider –

DRAFT – Internal, Deliberative

## Ex. 5 Deliberative Process (DP)

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Saturday, January 29, 2022 10:45 AM  
**To:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** RE: Release for Monday - MATS

Combining Tomas' and my edits. Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Sent:** Saturday, January 29, 2022 9:55 AM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** RE: Release for Monday - MATS

Joe – I agree, it doesn't really work to rearrange it the way they are asking to, so I'm happy to push back there as I was already inclined to do so, and I think your other edits to their edits are minor and manageable.

Tomas – do you have more coming?

Thanks!  
Lindsay

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Saturday, January 29, 2022 9:41 AM  
**To:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** RE: Release for Monday - MATS



My two cents.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Sent:** Saturday, January 29, 2022 8:53 AM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** Re: Release for Monday - MATS

I'd like to have it wrapped up by tomorrow afternoon. I'll hold on making updates until I hear back from you.

We've been asked to issue at 3pm or after, DOI is rolling our news Monday AM (orphan wells).

Sent from my iPhone

On Jan 28, 2022, at 7:19 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

Thanks, Lindsay. Adding Tomas to whom I sent the draft separately. I have a couple of concerns, which I articulated to Tomas for his counsel. I wouldn't mind taking a bit of time to look at this. When is our deadline?

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Sent:** Friday, January 28, 2022 6:51 PM  
**To:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** FW: Release for Monday - MATS

White House sent back edits on the MATS release. Comms conferred with Ali.

They want to highlight science. I can clean these up and recirculate, just wanted to share quickly.

Thanks,  
Lindsay

## Message

**From:** Cassady, Alison [Cassady.Alison@epa.gov]  
**Sent:** 1/30/2022 11:13:19 PM  
**To:** Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** Re: Mike Donilon/Administrator Regan  
**Attachments:** 2022-02-01 Memo Pre Briefing Donilon SOTU.docx

## Ex. 5 Deliberative Process (DP)

Alison L. Cassady  
(202) 941-6036

On Jan 30, 2022, at 5:00 PM, Hamilton, Lindsay <Hamilton.Lindsay@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

Thanks!  
Lindsay

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**From:** Hamilton, Lindsay  
**Sent:** Sunday, January 30, 2022 4:19 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>  
**Cc:** Cassady, Alison <Cassady.Alison@epa.gov>  
**Subject:** RE: Mike Donilon/Administrator Regan

Thanks, Joe! I'll put together a pre-brief draft and send it back to you all.

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Sunday, January 30, 2022 2:28 PM  
**To:** Utech, Dan <Utech.Dan@epa.gov>  
**Cc:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>  
**Subject:** RE: Mike Donilon/Administrator Regan

## Ex. 5 Deliberative Process (DP)

Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Sent:** Sunday, January 30, 2022 1:01 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** Re: Mike Donilon/Administrator Regan

Thanks Joe!

On Jan 30, 2022, at 12:28 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Sent:** Sunday, January 30, 2022 12:23 PM  
**To:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** Re: Mike Donilon/Administrator Regan

+ Joe

Joe I know you're busy with mats today and probably part of tomorrow but can we connect tomorrow on Sotu per below? We have a memo due tomorrow for a prebrief Tuesday for a meeting Regan has w Donilon later in the week.

On Jan 30, 2022, at 12:11 PM, Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)> wrote:

Apparently it was due on Friday, this is the pre-meeting for his meeting with Donilon. The pre-meeting is Tuesday. Sounds like we should add Joe to that and I can prep this for tomorrow's book, very high level and just a few bullets of ideas to talk through, unless you prefer another approach.

Sent from my iPhone

On Jan 30, 2022, at 12:06 PM, Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

On Jan 30, 2022, at 9:14 AM, Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)> wrote:

Hey Dan and Alison,

OPA is being asked to do the SOTU briefing memo, wondering if you have any thoughts we should incorporate.

### Ex. 5 Deliberative Process (DP)

Thanks!  
Lindsay

Sent from my iPhone

Begin forwarded message:

**From:** "Lance, Kathleen" <[Lance.Kathleen@epa.gov](mailto:Lance.Kathleen@epa.gov)>  
**Date:** January 30, 2022 at 8:23:04 AM EST  
**To:** "Lamy, Kendra" <[Lamy.Kendra@epa.gov](mailto:Lamy.Kendra@epa.gov)>, "Conger, Nick" <[Conger.Nick@epa.gov](mailto:Conger.Nick@epa.gov)>, "Hamilton, Lindsay" <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Cc:** "Morgan, Ashley" <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>, "Lucey, John" <[Lucey.John.D@epa.gov](mailto:Lucey.John.D@epa.gov)>  
**Subject:** RE: Mike Donilon/Administrator Regan

Hi all – please share the briefing memo ASAP. Thank you.

Kathleen C. Lance  
Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 941-1109

---

**From:** Lance, Kathleen  
**Sent:** Tuesday, January 18, 2022 2:59 PM  
**To:** Lamy, Kendra <[Lamy.Kendra@epa.gov](mailto:Lamy.Kendra@epa.gov)>; Conger, Nick <[Conger.Nick@epa.gov](mailto:Conger.Nick@epa.gov)>; Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Cc:** Morgan, Ashley <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>; Lucey, John <[Lucey.John.D@epa.gov](mailto:Lucey.John.D@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Mike Donilon/Administrator Regan

This pre-meeting has been set for 2/1 at 11:00AM.

**Team OPA** – please share any briefing materials to me NLT 3:00PM Friday, 1/28.

If any updates are needed to the materials after your meeting, please have the revised memo to me NLT 3:00PM 2/2 (the meeting with Mike and the Administrator is set for 2/4).

Thank you,

Kathleen C. Lance  
Director of Scheduling and Advance  
U.S. Environmental Protection Agency

Cell: (202) 941-1109

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**From:** Lance, Kathleen  
**Sent:** Tuesday, January 18, 2022 10:27 AM  
**To:** Lamy, Kendra <[Lamy.Kendra@epa.gov](mailto:Lamy.Kendra@epa.gov)>; Lucey, John <[Lucey.John.D@epa.gov](mailto:Lucey.John.D@epa.gov)>; Conger, Nick <[Conger.Nick@epa.gov](mailto:Conger.Nick@epa.gov)>; Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Cc:** Morgan, Ashley <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>  
**Subject:** FW: Mike Donilon/Administrator Regan

All –

In preparation for this discussion, the Administrator has asked for a briefing beforehand to inform the discussion with Mike.

We will work to schedule, and I will assign the briefing memo accordingly.

Kindly,

Kathleen C. Lance  
Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 941-1109

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**From:** Qu, Jing EOP/WHO <Ex. 6 Personal Privacy (PP)>  
**Sent:** Friday, January 14, 2022 5:25 PM  
**To:** Morgan, Ashley <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>; Lance, Kathleen <[Lance.Kathleen@epa.gov](mailto:Lance.Kathleen@epa.gov)>  
**Cc:** Isen, Thomas M. EOP/WHO <Ex. 6 Personal Privacy (PP)>  
**Subject:** Mike Donilon/Administrator Regan

Hi Kathleen and Ashley,

I'm emailing on behalf of Mike Donilon here at the White House. He is drafting the State of the Union (March 1) and, as part of that process, meeting with Cabinet members to discuss and hear their ideas. He is interested in meeting 1 on 1 with Administrator Regan sometime 1/24 – 2/11 in-person or over Zoom.

If Administrator Regan is interested in setting up a meeting, please let me know some windows to start holding.

Mike understands if Administrator Regan is busy and unable to extend time, or would prefer to correspond over email.

Thanks in advance!

Best, Jing

PS. Ashley, I think we met before in a prior internship. Nice to e-see you again!

...  
Jing Qu  
Special Assistant to the Senior Advisor  
Ex. 6 Personal Privacy (PP)

## Message

**From:** Utech, Dan [Utech.Dan@epa.gov]  
**Sent:** 1/31/2022 1:07:28 AM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Dunham, Sarah [Dunham.Sarah@epa.gov]; Cassady, Alison [Cassady.Alison@epa.gov]; Niebling, William [Niebling.William@epa.gov]; Grundler, Christopher [grundler.christopher@epa.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Newberg, Cindy [Newberg.Cindy@epa.gov]; Bunker, Byron [bunker.byron@epa.gov]  
**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

I'm about to take off on a two hour flight. Will log back on when I land but can't do anything more on this until then.

On Jan 30, 2022, at 5:51 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

Adding Dan and Alison for awareness.

Sent from my iPhone

On Jan 30, 2022, at 5:49 PM, Dunham, Sarah <Dunham.Sarah@epa.gov> wrote:

Byron's take is below:

## Ex. 5 Deliberative Process (DP)

**From:** Niebling, William <Niebling.William@epa.gov>  
**Sent:** Sunday, January 30, 2022 5:25 PM  
**To:** Dunham, Sarah <Dunham.Sarah@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

**From:** Dunham, Sarah <Dunham.Sarah@epa.gov>  
**Sent:** Sunday, January 30, 2022 5:23 PM  
**To:** Niebling, William <Niebling.William@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Newberg, Cindy

<Newberg.Cindy@epa.gov>

**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

I am unaware of any concern, or problem, that is addressed/solved by this language.

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**From:** Niebling, William <Niebling.William@epa.gov>

**Sent:** Sunday, January 30, 2022 5:12 PM

**To:** Grundler, Christopher <grundler.christopher@epa.gov>

**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>

**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

**Ex. 5 Deliberative Process (DP)**

On Jan 30, 2022, at 4:43 PM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

**Ex. 5 Deliberative Process (DP)**

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Christopher Grundler, Director  
Office of Atmospheric Programs  
U.S. Environmental Protection Agency  
(202) 343-9140 (Office)  
(734) 645-5221 (Mobile)

On Jan 30, 2022, at 4:39 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

**Ex. 5 Deliberative Process (DP)**

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Grundler, Christopher <grundler.christopher@epa.gov>

**Sent:** Sunday, January 30, 2022 4:36 PM

**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>

**Cc:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Newberg, Cindy <Newberg.Cindy@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>

**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

**Ex. 5 Deliberative Process (DP)**

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Christopher Grundler, Director  
Office of Atmospheric Programs  
U.S. Environmental Protection Agency  
(202) 343-9140 (Office)

(734) 645-5221 (Mobile)

On Jan 30, 2022, at 4:17 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Sunday, January 30, 2022 4:05 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thank you, Joe. I know a lot of these issues have been in the Air team's domain especially. Appreciate all that you and your team have pulled together in response to these requests.

I just received another question regarding an amendment that has come in on the bill. **Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, January 30, 2022 3:35 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Will do.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency



---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Sunday, January 30, 2022 3:33 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks Joe,

This did come back with questions. I will share the additional feedback you have provided, but could you run their below questions [in blue] by your team as well?

## Ex. 5 Deliberative Process (DP)

Thanks for your help on this,  
Maria

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, January 30, 2022 3:12 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Sunday, January 30, 2022 2:29 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>  
**Cc:** Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks very much to all of you on this chain and everyone on your team who helped pull this feedback together in such short order and over a weekend.

Attached is the compilation of comments, Ex. 5 Deliberative Process (DP)

Very grateful for your time and expertise,  
Maria

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, January 30, 2022 11:58 AM  
**To:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Cc:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

One more installment from OAR:

# Ex. 5 Deliberative Process (DP)

Tomas and I are about to do a couple of hours of stakeholder calls ahead of the MATS proposal announcement tomorrow, so we may not be able to respond to anything again until mid-afternoon.

Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Goffman, Joseph  
**Sent:** Sunday, January 30, 2022 10:55 AM  
**To:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Cc:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Here's another installment from OAR per Cindy Newberg, which goes beyond the jurisdictional question presented in the TA:

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>  
**Sent:** Sunday, January 30, 2022 10:34 AM  
**To:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Dan,

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Thanks for the opportunity to review.

Mark

---

**From:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>

**Sent:** Saturday, January 29, 2022 8:34 PM

**To:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>

**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>

**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

I'm interested in OITA's views.

## Ex. 5 Deliberative Process (DP)

On Jan 29, 2022, at 8:08 PM, Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)> wrote:

Here's my views informed in part from doing climate and foreign aid stuff for SFRC once upon a time:

## Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Sent:** Saturday, January 29, 2022 7:42 PM

**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Will do.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Saturday, January 29, 2022 7:29 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks Joe.

## Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Saturday, January 29, 2022 6:39 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Saturday, January 29, 2022 6:04 PM  
**To:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** Time-Sensitive: EPA weigh in on COMPETES Act  
**Importance:** High

Hi all,

# Ex. 5 Deliberative Process (DP)

Thank you for your quick assistance,

**Maria Laverdiere**

Deputy Associate Administrator for Congressional Affairs

U.S. Environmental Protection Agency

Cell: (202) 961-6570

Pronouns: She/her/hers

## Message

**From:** Laverdiere, Maria [Laverdiere.Maria@epa.gov]  
**Sent:** 1/31/2022 2:02:58 AM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Niebling, William [Niebling.William@epa.gov]  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks very much, Joe. Ex. 5 Deliberative Process (DP)

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Sunday, January 30, 2022 8:10 PM  
**To:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>  
**Cc:** Niebling, William <Niebling.William@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>  
**Sent:** Sunday, January 30, 2022 3:33 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Niebling, William <Niebling.William@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks Joe,

This did come back with questions. I will share the additional feedback you have provided, but could you run their below questions [in blue] by your team as well?

For the Air team specifically, they asked for the following clarification:

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Thanks for your help on this,  
Maria

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, January 30, 2022 3:12 PM  
**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Cc:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Sorry this is late, but just in case they come back with questions about how to address some of the points we raised, notably about HFCs and other non-CO2 gases, this might help:

# Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>  
**Sent:** Sunday, January 30, 2022 2:29 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>  
**Cc:** Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act



Thanks very much to all of you on this chain and everyone on your team who helped pull this feedback together in such short order and over a weekend.

Attached is the compilation of comments, **Ex. 5 Deliberative Process (DP)**

Very grateful for your time and expertise,  
Maria

---

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Sunday, January 30, 2022 11:58 AM  
**To:** Kasman, Mark <Kasman.Mark@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Cc:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

One more installment from OAR:

## Ex. 5 Deliberative Process (DP)

Tomas and I are about to do a couple of hours of stakeholder calls ahead of the MATS proposal announcement tomorrow, so we may not be able to respond to anything again until mid-afternoon.

Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Goffman, Joseph  
**Sent:** Sunday, January 30, 2022 10:55 AM  
**To:** Kasman, Mark <Kasman.Mark@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Cc:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Here's another installment from OAR per Cindy Newberg, which goes beyond the jurisdictional question presented in the TA:

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>  
**Sent:** Sunday, January 30, 2022 10:34 AM  
**To:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Dan,

# Ex. 5 Deliberative Process (DP)

Thanks for the opportunity to review.

Mark

---

**From:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Sent:** Saturday, January 29, 2022 8:34 PM  
**To:** Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** Re: Time-Sensitive: EPA weigh in on COMPETES Act

I'm interested in OITA's views.

# Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

On Jan 29, 2022, at 8:08 PM, Niebling, William <Niebling.William@epa.gov> wrote:

Here's my views informed in part from doing climate and foreign aid stuff for SFRC once upon a time:

## Ex. 5 Deliberative Process (DP)

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**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Saturday, January 29, 2022 7:42 PM  
**To:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Kasman, Mark <Kasman.Mark@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>  
**Cc:** Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Will do.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Laverdiere, Maria <Laverdiere.Maria@epa.gov>  
**Sent:** Saturday, January 29, 2022 7:29 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Kasman, Mark <Kasman.Mark@epa.gov>; Nishida, Jane <Nishida.Jane@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>  
**Cc:** Utech, Dan <Utech.Dan@epa.gov>; Niebling, William <Niebling.William@epa.gov>  
**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

Thanks Joe.

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Sent:** Saturday, January 29, 2022 6:39 PM

**To:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>

**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>

**Subject:** RE: Time-Sensitive: EPA weigh in on COMPETES Act

## Ex. 5 Deliberative Process (DP)

Joseph Goffman

Principal Deputy Assistant Administrator

Office of Air and Radiation

U.S. Environmental Protection Agency

**From:** Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>

**Sent:** Saturday, January 29, 2022 6:04 PM

**To:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Cassidy, Alison <[Cassidy.Alison@epa.gov](mailto:Cassidy.Alison@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>

**Cc:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>

**Subject:** Time-Sensitive: EPA weigh in on COMPETES Act

**Importance:** High

Hi all,

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Thank you for your quick assistance,

**Maria Laverdiere**

Deputy Associate Administrator for Congressional Affairs

U.S. Environmental Protection Agency

Cell: (202) 961-6570

Pronouns: She/her/hers

Message

---

**From:** Millett, John [Millett.John@epa.gov]  
**Sent:** 1/31/2022 1:26:55 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]  
**CC:** Ashley, Jackie [Ashley.Jackie@epa.gov]; Cortelyou-Lee, Jan [Cortelyou-Lee.Jan@epa.gov]  
**Subject:** Fwd: Updated Release for MATS  
**Attachments:** MATS PR 1.30.22 embargoed.docx

Planning for a 3:30 announcement today.

Begin forwarded message:

**From:** "Hamilton, Lindsay" <Hamilton.Lindsay@epa.gov>  
**Date:** January 30, 2022 at 5:09:53 PM EST  
**To:** "Millett, John" <Millett.John@epa.gov>, "Carroll, Timothy" <Carroll.Timothy@epa.gov>  
**Subject:** Updated Release for MATS

Here's where we're at. 3:30PM ET is our new time.

Lindsay Hamilton  
Associate Administrator, Public Affairs  
Environmental Protection Agency  
[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)  
202-510-3515 (mobile)  
[Newsroom](#) | she/her

**EMBARGOED UNTIL MON, JAN 31, 2022, 3:30PM ET**

**EPA Reaffirms Scientific, Economic, and Legal Underpinnings of Limits on Toxic Emissions**

*Action Would Ensure Continued Protection for Children and Vulnerable Communities*

Washington, DC (January 31, 2022) – Today, EPA is proposing to reaffirm the scientific, economic, and legal underpinnings of the 2012 Mercury and Air Toxics Standards (MATS) for power plants, which require significant reductions of mercury, acid gases, and other harmful pollutants. Controlling these emissions improves public health for all Americans by reducing fatal heart attacks, reducing cancer risks, avoiding neurodevelopmental delays in children, and helping to restore certain ecosystem functions that people and businesses value. These public health improvements are especially important for children and particularly vulnerable segments of the population such as Indigenous communities, low-income communities, and people of color who live near power plants or are affected by hazardous air pollution. The proposal, which responds to President Biden’s January 20, 2021, Executive Order 13990, “Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis,” would reverse a rule issued by the previous administration in May 2020, which undermined the legal basis for these vital health protections.

“Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution,” said **EPA Administrator Michael S. Regan**. “EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives.”

The proposal would leave the current emissions standards unchanged but would ensure the continuation of public health protections provided by these requirements, while seeking information from the public on opportunities for additional pollution reductions. Taking account of the burden that hazardous air pollutants including mercury impose on public health as well as the costs of controlling these emissions, EPA proposes to find that it is appropriate and necessary to regulate emissions of air toxics from power plants under the Clean Air Act.

The MATS, combined with advancements in the power sector, have driven sharp reductions in harmful pollutants. EPA has estimated that by 2017, mercury emissions from power plants were reduced by 86 percent, acid gas emissions were reduced by 96 percent, and non-mercury metal emissions were reduced by 81 percent compared to pre-MATS levels in 2010.

Prior to the MATS, power plants were the largest domestic source of mercury and other toxic pollutants such as hydrogen chloride and selenium. They were also among the largest domestic contributors of arsenic, chromium, cobalt, nickel, hydrogen cyanide, beryllium, and cadmium.

The initial appropriate and necessary finding was made in 2000 and affirmed in 2012 and 2016. In May 2020, the previous administration reversed EPA's 2016 finding, undermining the legal basis for the Mercury and Air Toxics Standards. President Biden's Executive Order 13990 directed EPA to review that finding and consider an action to rescind it. In today's action, EPA proposes to find that the 2020 action was based on a fundamentally flawed interpretation of the Clean Air Act that improperly ignored or undervalued vital health benefits from reducing hazardous air pollution from power plants. Based on a thorough review of these benefits, the reasonable costs of controls, and other relevant factors, EPA is proposing to reaffirm that it is appropriate and necessary to regulate emissions of hazardous air pollutants from coal- and oil-fired power plants.

The Agency is also continuing to consider the MATS Risk and Technology Review, as directed by Executive Order 13990, to determine whether more stringent protections for hazardous air pollution from power plants are feasible and warranted. To support that review, EPA is soliciting information on the performance and cost of new or improved technologies or methods of operation to control hazardous air pollution emissions, as well as risk-related information, as a part of this proposal.

EPA will accept comment on the proposal for 60 days after publication in the *Federal Register*. The Agency also plans to hold a virtual public hearing. Details about the hearing will be announced online in the coming weeks.

Learn more: [ HYPERLINK

"file:///C:/Users/JGOFFMAN/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/GAZP1FZF/https://www.epa.gov/stationary-sources-air-pollution/mercury-and-air-toxics-standards"].



## Message

**From:** Grantham, Nancy [Grantham.Nancy@epa.gov]  
**Sent:** 1/31/2022 1:50:33 PM  
**To:** Millett, John [Millett.John@epa.gov]; Conger, Nick [Conger.Nick@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Kim, Eunjung [Kim.Eun@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]; Hooper, Daniel [hooper.daniel@epa.gov]; DeLuca, Isabel [DeLuca.Isabel@epa.gov]; Koerber, Mike [Koerber.Mike@epa.gov]; Culligan, Kevin [Culligan.Kevin@epa.gov]; Noonan, Jenny [Noonan.Jenny@epa.gov]; Bremer, Kristen [Bremer.Kristen@epa.gov]; Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]; Niebling, William [Niebling.William@epa.gov]; Carroll, Timothy [Carroll.Timothy@epa.gov]; Laverdiere, Maria [Laverdiere.Maria@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]; Haman, Patricia [Haman.Patricia@epa.gov]; Bowles, Jack [Bowles.Jack@epa.gov]; Enobakhare, Rosemary [Enobakhare.Rosemary@epa.gov]; Cortez Russell, Loni [Russell.Loni@epa.gov]; Levy, Maxwell [Levy.Maxwell@epa.gov]; Cortelyou-Lee, Jan [Cortelyou-Lee.Jan@epa.gov]  
**CC:** Thundiyil, Karen [Thundiyil.Karen@epa.gov]; Lucey, John [Lucey.John.D@epa.gov]; Harney, Alethea [Harney.Alethea@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Ashley, Jackie [Ashley.Jackie@epa.gov]  
**Subject:** RE: MATs: comms materials

Thanks

**Nancy Grantham**  
**Principal Deputy Associate Administrator**  
**Environmental Protection Agency**  
**Office of Public Affairs**  
**202-564-6879 (desk)**  
**202-253-7056 (cell)**  
[grantham.nancy@epa.gov](mailto:grantham.nancy@epa.gov)

---

**From:** Millett, John <Millett.John@epa.gov>  
**Sent:** Monday, January 31, 2022 8:50 AM  
**To:** Conger, Nick <Conger.Nick@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Noonan, Jenny <Noonan.Jenny@epa.gov>; Bremer, Kristen <Bremer.Kristen@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>; Cortez Russell, Loni <Russell.Loni@epa.gov>; Levy, Maxwell <Levy.Maxwell@epa.gov>; Cortelyou-Lee, Jan <Cortelyou-Lee.Jan@epa.gov>  
**Cc:** Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>; Harney, Alethea <Harney.Alethea@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Ashley, Jackie <Ashley.Jackie@epa.gov>  
**Subject:** RE: MATs: comms materials

Good Morning all – we’re planning for this announcement to go at 3:30PM today; the web will be live about 15 minutes prior.

---

**From:** Millett, John  
**Sent:** Thursday, January 27, 2022 1:45 PM  
**To:** Conger, Nick <Conger.Nick@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Hooper,

Daniel <[hooper.daniel@epa.gov](mailto:hooper.daniel@epa.gov)>; DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>; Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; Culligan, Kevin <[Culligan.Kevin@epa.gov](mailto:Culligan.Kevin@epa.gov)>; Noonan, Jenny <[Noonan.Jenny@epa.gov](mailto:Noonan.Jenny@epa.gov)>; Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Carroll, Timothy <[Carroll.Timothy@epa.gov](mailto:Carroll.Timothy@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Katims, Casey <[Katims.Casey@epa.gov](mailto:Katims.Casey@epa.gov)>; Haman, Patricia <[Haman.Patricia@epa.gov](mailto:Haman.Patricia@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Enobakhare, Rosemary <[Enobakhare.Rosemary@epa.gov](mailto:Enobakhare.Rosemary@epa.gov)>; Cortez Russell, Loni <[Russell.Loni@epa.gov](mailto:Russell.Loni@epa.gov)>; Levy, Maxwell <[Levy.Maxwell@epa.gov](mailto:Levy.Maxwell@epa.gov)>; Cortelyou-Lee, Jan <[Cortelyou-Lee.Jan@epa.gov](mailto:Cortelyou-Lee.Jan@epa.gov)>  
**Cc:** Thundiyil, Karen <[Thundiyil.Karen@epa.gov](mailto:Thundiyil.Karen@epa.gov)>; Lucey, John <[Lucey.John.D@epa.gov](mailto:Lucey.John.D@epa.gov)>; Harney, Alethea <[Harney.Alethea@epa.gov](mailto:Harney.Alethea@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>; Ashley, Jackie <[Ashley.Jackie@epa.gov](mailto:Ashley.Jackie@epa.gov)>  
**Subject:** RE: MATs: comms materials

Thanks, Nick – closing this out with a cleaned up final draft accepting all your judicious edits! We'll coordinate on announcement timing and web posting for Monday, 1/31. I've flagged this as upcoming for the regional public affairs directors, and can share materials with them for their RAs in advance of the announcement.

---

**From:** Conger, Nick <[Conger.Nick@epa.gov](mailto:Conger.Nick@epa.gov)>  
**Sent:** Thursday, January 27, 2022 12:04 PM  
**To:** Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>; Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>; Hooper, Daniel <[hooper.daniel@epa.gov](mailto:hooper.daniel@epa.gov)>; DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>; Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; Culligan, Kevin <[Culligan.Kevin@epa.gov](mailto:Culligan.Kevin@epa.gov)>; Noonan, Jenny <[Noonan.Jenny@epa.gov](mailto:Noonan.Jenny@epa.gov)>; Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Carroll, Timothy <[Carroll.Timothy@epa.gov](mailto:Carroll.Timothy@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Katims, Casey <[Katims.Casey@epa.gov](mailto:Katims.Casey@epa.gov)>; Haman, Patricia <[Haman.Patricia@epa.gov](mailto:Haman.Patricia@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Enobakhare, Rosemary <[Enobakhare.Rosemary@epa.gov](mailto:Enobakhare.Rosemary@epa.gov)>; Cortez Russell, Loni <[Russell.Loni@epa.gov](mailto:Russell.Loni@epa.gov)>; Levy, Maxwell <[Levy.Maxwell@epa.gov](mailto:Levy.Maxwell@epa.gov)>; Cortelyou-Lee, Jan <[Cortelyou-Lee.Jan@epa.gov](mailto:Cortelyou-Lee.Jan@epa.gov)>  
**Cc:** Thundiyil, Karen <[Thundiyil.Karen@epa.gov](mailto:Thundiyil.Karen@epa.gov)>; Lucey, John <[Lucey.John.D@epa.gov](mailto:Lucey.John.D@epa.gov)>; Harney, Alethea <[Harney.Alethea@epa.gov](mailto:Harney.Alethea@epa.gov)>; Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)>; Ashley, Jackie <[Ashley.Jackie@epa.gov](mailto:Ashley.Jackie@epa.gov)>  
**Subject:** RE: MATs: comms materials

Thank you John! A few proposed edits to the press release here for your consideration. We will get this into the Administrator's book by 3pm today.

Nick Conger  
 Press Secretary  
 Environmental Protection Agency  
 202-941-1116 (mobile)  
 Twitter: [@EPAPressOffice](https://twitter.com/EPAPressOffice)

---

**From:** Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>  
**Sent:** Thursday, January 27, 2022 8:43 AM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>; Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>; Hooper, Daniel <[hooper.daniel@epa.gov](mailto:hooper.daniel@epa.gov)>; DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>; Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; Culligan, Kevin <[Culligan.Kevin@epa.gov](mailto:Culligan.Kevin@epa.gov)>; Noonan, Jenny <[Noonan.Jenny@epa.gov](mailto:Noonan.Jenny@epa.gov)>; Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>; Conger, Nick <[Conger.Nick@epa.gov](mailto:Conger.Nick@epa.gov)>; Niebling, William <[Niebling.William@epa.gov](mailto:Niebling.William@epa.gov)>; Carroll, Timothy <[Carroll.Timothy@epa.gov](mailto:Carroll.Timothy@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Laverdiere, Maria <[Laverdiere.Maria@epa.gov](mailto:Laverdiere.Maria@epa.gov)>; Katims, Casey <[Katims.Casey@epa.gov](mailto:Katims.Casey@epa.gov)>; Haman, Patricia <[Haman.Patricia@epa.gov](mailto:Haman.Patricia@epa.gov)>; Bowles, Jack <[Bowles.Jack@epa.gov](mailto:Bowles.Jack@epa.gov)>; Enobakhare, Rosemary <[Enobakhare.Rosemary@epa.gov](mailto:Enobakhare.Rosemary@epa.gov)>; Cortez Russell, Loni <[Russell.Loni@epa.gov](mailto:Russell.Loni@epa.gov)>; Levy, Maxwell <[Levy.Maxwell@epa.gov](mailto:Levy.Maxwell@epa.gov)>; Cortelyou-Lee, Jan <[Cortelyou-Lee.Jan@epa.gov](mailto:Cortelyou-Lee.Jan@epa.gov)>  
**Cc:** Thundiyil, Karen <[Thundiyil.Karen@epa.gov](mailto:Thundiyil.Karen@epa.gov)>; Lucey, John <[Lucey.John.D@epa.gov](mailto:Lucey.John.D@epa.gov)>; Harney, Alethea

<Harney.Alethea@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Ashley, Jackie <Ashley.Jackie@epa.gov>

**Subject:** RE: MATs: comms materials

Hi All – attached is the complete set of MATS materials. The PR and Fact sheet are intended to be public once the action is signed and posted, aiming for Friday before noon – signature willing. The rollout, Q/A, and talking points are for use within epa.gov.

Thanks and please let me know if you have any questions.

---

**From:** Millett, John

**Sent:** Wednesday, January 26, 2022 4:01 PM

**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Kim, Eunjung <Kim.Eun@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Hooper, Daniel <hooper.daniel@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Koerber, Mike <Koerber.Mike@epa.gov>; Culligan, Kevin <Culligan.Kevin@epa.gov>; Noonan, Jenny <Noonan.Jenny@epa.gov>; Bremer, Kristen <Bremer.Kristen@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Conger, Nick <Conger.Nick@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>; Cortez Russell, Loni <Russell.Loni@epa.gov>; Levy, Maxwell <Levy.Maxwell@epa.gov>; Cortelyou-Lee, Jan <Cortelyou-Lee.Jan@epa.gov>  
**Cc:** Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>; Harney, Alethea <Harney.Alethea@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>

**Subject:** MATs Rollout Discussion: comms materials

For discussion at 5pm – thanks!

-----Original Appointment-----

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>

**Sent:** Tuesday, January 25, 2022 4:06 PM

**To:** Goffman, Joseph; Carbonell, Tomas; Kim, Eunjung; Campbell, Ann; Hooper, Daniel; DeLuca, Isabel; Millett, John; Koerber, Mike; Culligan, Kevin; Noonan, Jenny; Bremer, Kristen; Hamilton, Lindsay; Conger, Nick; Niebling, William; Carroll, Timothy; Grantham, Nancy; Laverdiere, Maria; Katims, Casey; Haman, Patricia; Bowles, Jack; Enobakhare, Rosemary; Cortez Russell, Loni; Levy, Maxwell; Alpern, Michael; Nazmi, Niloufar; Cortelyou-Lee, Jan

**Cc:** Thundiyil, Karen; Lucey, John; Harney, Alethea; Jones, Enesta

**Subject:** MATs Rollout Discussion

**When:** Wednesday, January 26, 2022 5:00 PM-5:25 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Microsoft Teams Meeting

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Message

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**From:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**Sent:** 9/13/2021 2:33:50 PM  
**To:** McCabe, Janet [McCabe.Janet@epa.gov]  
**CC:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** FW: Oil and Gas package attached as requested  
**Attachments:** EO12866\_Oil and Gas NSPS EG Climate Review 2060-AV15 and 2060-AV16 PROPOSAL 20210910.docx; EO12866\_Oil and Gas NSPS EG Climate Review 2060-AV15 and 2060-AV16 RIA\_20210910.docx

**Importance:** High

This is what I have and approved to send over on Friday which was done at the end of the day. It's on hold there pending a conversation at 1 pm with counsel. Thanks  
Vicki

---

**From:** Nickerson, William <Nickerson.William@epa.gov>  
**Sent:** Friday, September 10, 2021 3:40 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Cc:** Fine, Philip <Fine.Philip@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>  
**Subject:** Oil and Gas package attached as requested  
**Importance:** High

This is the version the OAR IO approved

## Message

**From:** Millett, John [Millett.John@epa.gov]  
**Sent:** 1/31/2022 5:23:37 PM  
**To:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]  
**CC:** Kim, Eunjung [Kim.Eun@epa.gov]  
**Subject:** RE: WaPo Questions re: MATS

Thanks! Hoping we get word on signature soon.

---

**From:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Sent:** Monday, January 31, 2022 12:19 PM  
**To:** Millett, John <Millett.John@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Cc:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** RE: WaPo Questions re: MATS

Thanks John. I think these responses look good

---

**From:** Millett, John <Millett.John@epa.gov>  
**Sent:** Monday, January 31, 2022 12:17 PM  
**To:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Subject:** FW: WaPo Questions re: MATS

Hi Joe and Tomás a straightforward q/a below for the WashPost in advance of the MATS announcement. Please let me know if you see any showstoppers. Thanks!

---

**From:** Ashley, Jackie <Ashley.Jackie@epa.gov>  
**Sent:** Monday, January 31, 2022 12:04 PM  
**To:** Millett, John <Millett.John@epa.gov>; Cortelyou-Lee, Jan <Cortelyou-Lee.Jan@epa.gov>  
**Cc:** Culligan, Kevin <Culligan.Kevin@epa.gov>; Profeta, Timothy <Profeta.Timothy@epa.gov>  
**Subject:** RE: WaPo Questions re: MATS

John –

Here's what we pulled together. CC'ing Kevin and Tim in case you or Joe/Tomás have followups.

- What is the agency's timeline for the MATS Risk and Technology Review mentioned in the press release — i.e, the timeline for deciding whether to issue more stringent protections for mercury and other hazardous air pollutants?

## Ex. 5 Deliberative Process (DP)

- Is it fair to say this MATS determination a part of a “comprehensive approach” (to quote E&E News) for reducing emissions from the power sector?

## Ex. 5 Deliberative Process (DP)

- Last year, the agency said it would propose a supplemental rule for wastewater pollution from power plants by the fall of 2022. Is the EPA still on track for that deadline? Should we expect it earlier or later?

[for OW]

- According to the Unified Agenda, the EPA intends to outline (issue a notice of proposed rulemaking) for regulating greenhouse gas emissions from existing power plants by July of this year. Is that still the schedule? And how does the pending Supreme Court case, EPA v. West Virginia, affect this rulemaking? Where is the EPA in this process?

## Ex. 5 Deliberative Process (DP)

- Finally, what exactly is the EPA doing about haze? The EPA told E&E News that it was working to lower emissions through the existing regional haze program, whereas the WSJ suggests the agency is planning to propose some new standard.

## Ex. 5 Deliberative Process (DP)

-----  
 Jackie Ashley (she/her/hers)  
 US EPA - Office of Air Quality Planning and Standards  
 Policy Analysis and Communications Staff  
 919.541.7664 - [ashley.jackie@epa.gov](mailto:ashley.jackie@epa.gov)

-----  
**From:** Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>  
**Sent:** Monday, January 31, 2022 9:02 AM  
**To:** Ashley, Jackie <[Ashley.Jackie@epa.gov](mailto:Ashley.Jackie@epa.gov)>; Cortelyou-Lee, Jan <[Cortelyou-Lee.Jan@epa.gov](mailto:Cortelyou-Lee.Jan@epa.gov)>  
**Subject:** FW: WaPo Questions re: MATS

Good morning -- some q's below, they seem pretty straightforward, but I'll run the q/a by Joe and Tomás just the same. Would you like to take first crack? I flagged the wastewater q for OW.

---

**From:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Sent:** Monday, January 31, 2022 8:53 AM  
**To:** Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>  
**Cc:** Carroll, Timothy <[Carroll.Timothy@epa.gov](mailto:Carroll.Timothy@epa.gov)>  
**Subject:** WaPo Questions

Hey John – some incoming from Wash Post. I told them we might not be able to answer everything as this goes beyond the bounds of the MATS announcement, can you help me prep some background replies to these by noon today?

Thanks! Lindsay

- What is the agency's timeline for the MATS Risk and Technology Review mentioned in the press release — i.e, the timeline for deciding whether to issue more stringent protections for mercury and other hazardous air pollutants?
- Is it fair to say this MATS determination a part of a “comprehensive approach” (to quote E&E News) for reducing emissions from the power sector?
- Last year, the agency said it would propose a supplemental rule for wastewater pollution from power plants by the fall of 2022. Is the EPA still on track for that deadline? Should we expect it earlier or later?
- According to the Unified Agenda, the EPA intends to outline (issue a notice of proposed rulemaking) for regulating greenhouse gas emissions from existing power plants by July of this year. Is that still the schedule? And how does the pending Supreme Court case, EPA v. West Virginia, affect this rulemaking? Where is the EPA in this process?
- Finally, what exactly is the EPA doing about haze? The EPA told E&E News that it was working to lower emissions through the existing regional haze program, whereas the WSJ suggests the agency is planning to propose some new standard.

Lindsay Hamilton  
Associate Administrator, Public Affairs  
Environmental Protection Agency  
[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)  
202-510-3515 (mobile)  
[Newsroom](#) | she/her



## Message

**From:** Hamilton, Lindsay [Hamilton.Lindsay@epa.gov]  
**Sent:** 1/31/2022 6:59:51 PM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]; Utech, Dan [Utech.Dan@epa.gov]  
**CC:** Cassidy, Alison [Cassady.Alison@epa.gov]  
**Subject:** RE: Mike Donilon/Administrator Regan  
**Attachments:** 2022-02-01 Memo Pre Briefing Donilon SOTU.docx

## Ex. 5 Deliberative Process (DP)

**From:** Goffman, Joseph <Goffman.Joseph@epa.gov>  
**Sent:** Sunday, January 30, 2022 8:19 PM  
**To:** Utech, Dan <Utech.Dan@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Cc:** Cassidy, Alison <Cassady.Alison@epa.gov>  
**Subject:** RE: Mike Donilon/Administrator Regan

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

**From:** Utech, Dan <Utech.Dan@epa.gov>  
**Sent:** Sunday, January 30, 2022 8:14 PM  
**To:** Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Cc:** Goffman, Joseph <Goffman.Joseph@epa.gov>; Cassidy, Alison <Cassady.Alison@epa.gov>  
**Subject:** Re: Mike Donilon/Administrator Regan

## Ex. 5 Deliberative Process (DP)

On Jan 30, 2022, at 5:00 PM, Hamilton, Lindsay <Hamilton.Lindsay@epa.gov> wrote:

## Ex. 5 Deliberative Process (DP)

Thanks!  
Lindsay

**From:** Hamilton, Lindsay  
**Sent:** Sunday, January 30, 2022 4:19 PM

**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Mike Donilon/Administrator Regan

Thanks, Joe! I'll put together a pre-brief draft and send it back to you all.

---

**From:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Sent:** Sunday, January 30, 2022 2:28 PM  
**To:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Cc:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** RE: Mike Donilon/Administrator Regan

## Ex. 5 Deliberative Process (DP)

Thanks.

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Sent:** Sunday, January 30, 2022 1:01 PM  
**To:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Cc:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>; Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>  
**Subject:** Re: Mike Donilon/Administrator Regan

Thanks Joe!

On Jan 30, 2022, at 12:28 PM, Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

---

**From:** Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)>  
**Sent:** Sunday, January 30, 2022 12:23 PM  
**To:** Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Cc:** Cassady, Alison <[Cassady.Alison@epa.gov](mailto:Cassady.Alison@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>  
**Subject:** Re: Mike Donilon/Administrator Regan

+ Joe

Joe I know you're busy with mats today and probably part of tomorrow but can we connect tomorrow on Sotu per below? We have a memo due tomorrow for a prebief Tuesday for a meeting Regan has w Donilon later in the week.

On Jan 30, 2022, at 12:11 PM, Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)> wrote:

Apparently it was due on Friday, this is the pre-meeting for his meeting with Donilon. The pre-meeting is Tuesday. Sounds like we should add Joe to that and I can prep this for tomorrow's book, very high level and just a few bullets of ideas to talk through, unless you prefer another approach.

Sent from my iPhone

On Jan 30, 2022, at 12:06 PM, Utech, Dan <[Utech.Dan@epa.gov](mailto:Utech.Dan@epa.gov)> wrote:

## Ex. 5 Deliberative Process (DP)

On Jan 30, 2022, at 9:14 AM, Hamilton, Lindsay <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)> wrote:

Hey Dan and Alison,

### Ex. 5 Deliberative Process (DP)

#### Ex. 5 Deliberative Process (DP)

Thanks!  
Lindsay

Sent from my iPhone

Begin forwarded message:

**From:** "Lance, Kathleen" <[Lance.Kathleen@epa.gov](mailto:Lance.Kathleen@epa.gov)>  
**Date:** January 30, 2022 at 8:23:04 AM EST  
**To:** "Lamy, Kendra" <[Lamy.Kendra@epa.gov](mailto:Lamy.Kendra@epa.gov)>, "Conger, Nick" <[Conger.Nick@epa.gov](mailto:Conger.Nick@epa.gov)>, "Hamilton, Lindsay" <[Hamilton.Lindsay@epa.gov](mailto:Hamilton.Lindsay@epa.gov)>  
**Cc:** "Morgan, Ashley" <[Morgan.Ashley.M@epa.gov](mailto:Morgan.Ashley.M@epa.gov)>, "Lucey, John" <[Lucey.John.D@epa.gov](mailto:Lucey.John.D@epa.gov)>  
**Subject:** RE: Mike Donilon/Administrator Regan

Hi all – please share the briefing memo ASAP. Thank you.

Kathleen C. Lance  
Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 941-1109

---

**From:** Lance, Kathleen  
**Sent:** Tuesday, January 18, 2022 2:59 PM

**To:** Lamy, Kendra <Lamy.Kendra@epa.gov>; Conger, Nick <Conger.Nick@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>  
**Cc:** Morgan, Ashley <Morgan.Ashley.M@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>; Cassidy, Alison <Cassidy.Alison@epa.gov>  
**Subject:** RE: Mike Donilon/Administrator Regan

This pre-meeting has been set for 2/1 at 11:00AM.

**Team OPA** – please share any **briefing materials to me NLT 3:00PM Friday, 1/28.**

If any updates are needed to the materials after your meeting, please have the revised memo to me NLT 3:00PM 2/2 (the meeting with Mike and the Administrator is set for 2/4).

Thank you,

Kathleen C. Lance  
Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 941-1109

---

**From:** Lance, Kathleen  
**Sent:** Tuesday, January 18, 2022 10:27 AM  
**To:** Lamy, Kendra <Lamy.Kendra@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>; Conger, Nick <Conger.Nick@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Utech, Dan <Utech.Dan@epa.gov>  
**Cc:** Morgan, Ashley <Morgan.Ashley.M@epa.gov>  
**Subject:** FW: Mike Donilon/Administrator Regan

All –

In preparation for this discussion, the Administrator has asked for a briefing beforehand to inform the discussion with Mike.

We will work to schedule, and I will assign the briefing memo accordingly.

Kindly,

Kathleen C. Lance  
Director of Scheduling and Advance  
U.S. Environmental Protection Agency  
Cell: (202) 941-1109

---

**From:** Qu, Jing EOP/WHO <Ex. 6 Personal Privacy (PP)>  
**Sent:** Friday, January 14, 2022 5:25 PM  
**To:** Morgan, Ashley <Morgan.Ashley.M@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>  
**Cc:** Isen, Thomas M. EOP/WHO <Ex. 6 Personal Privacy (PP)>  
**Subject:** Mike Donilon/Administrator Regan

Hi Kathleen and Ashley,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

He is interested in meeting 1 on 1 with Administrator Regan sometime 1/24 – 2/11 in-person or over Zoom.

If Administrator Regan is interested in setting up a meeting, please let me know some windows to start holding.

Mike understands if Administrator Regan is busy and unable to extend time, or would prefer to correspond over email.

Thanks in advance!

Best, Jing

PS. Ashley, I think we met before in a prior internship. Nice to e-see you again!

~

Jing Qu

Special Assistant to the Senior Advisor

Ex. 6 Personal Privacy (PP)

Message

---

**From:** Tsirigotis, Peter [Tsirigotis.Peter@epa.gov]  
**Sent:** 2/1/2022 2:46:56 AM  
**To:** Goffman, Joseph [Goffman.Joseph@epa.gov]  
**Subject:** Re: WSJ: New EPA Rules to Target Power Plant Pollution

Spot on

On Jan 31, 2022, at 8:33 PM, Goffman, Joseph <Goffman.Joseph@epa.gov> wrote:

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Joseph Goffman  
Principal Deputy Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency

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**From:** Conger, Nick <Conger.Nick@epa.gov>  
**Sent:** Tuesday, January 25, 2022 8:12 AM  
**To:** Ex. 6 Administrator Regan  
**Cc:** Utech, Dan <Utech.Dan@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Lamy, Kendra <Lamy.Kendra@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>  
**Subject:** WSJ: New EPA Rules to Target Power Plant Pollution

## New EPA Rules to Target Power Plant Pollution

Administrator Michael Regan says agency expects to propose tighter regulations on air and water emissions from electric utility plants

By  
Jan. 25, 2022 7:00 am ET



**The proposed rules could lead to the closing of some older coal-fired power plants.**

Photo: Paul Hennessy/SOPA Images/Zuma Press

WASHINGTON—The Environmental Protection Agency is preparing to advance tougher regulations on power plants in coming months as part of President Biden’s plan to cut greenhouse-gas emissions.

The agency wants to impose stricter air-quality standards for mercury and other toxic pollutants, as well as new restrictions on wastewater generated by power plants, EPA Administrator Michael Regan said in an interview.

Mr. Regan said the EPA is looking to roll out new proposals in a more coordinated approach to regulate the power sector, using the agency’s broad array of powers to oversee air and water pollution as well as wastewater disposal.

“We don’t have to overly rely on any one rule,” Mr. Regan said. “It’s looking at the full suite of authorities to maximize our ability to protect communities and public health.”



**EPA Administrator Michael Regan says the proposed rules are aimed at shielding poor and minority neighborhoods that often bear the brunt of power plant pollution.**

Photo: Jose Luis Magana/Associated Press

Tom Kuhn, president of the Edison Electric Institute, an industry group that represents major utilities, said a coordinated approach “can help to provide a regulatory framework that supports these investments and accelerates the clean energy transition.” But an industry group that represents smaller and rural power-plant owners expressed concern.

An onslaught of new rules could raise the cost of power to business and consumers if it isn’t implemented carefully, and the cost of compliance could also force older plants powered by coal, oil and natural gas to close, said Louis Finkel, senior vice president of government relations for the National Rural Electric Cooperative Association.

“If the ambition is to create death by a thousand cuts, to make it more difficult to operate, yes—that’s wildly problematic,” Mr. Finkel said.

Mr. Finkel said the idea of a coordinated approach isn’t by itself a big concern but he would be eager to hear more details from Mr. Regan about how exactly the EPA might implement the strategy.

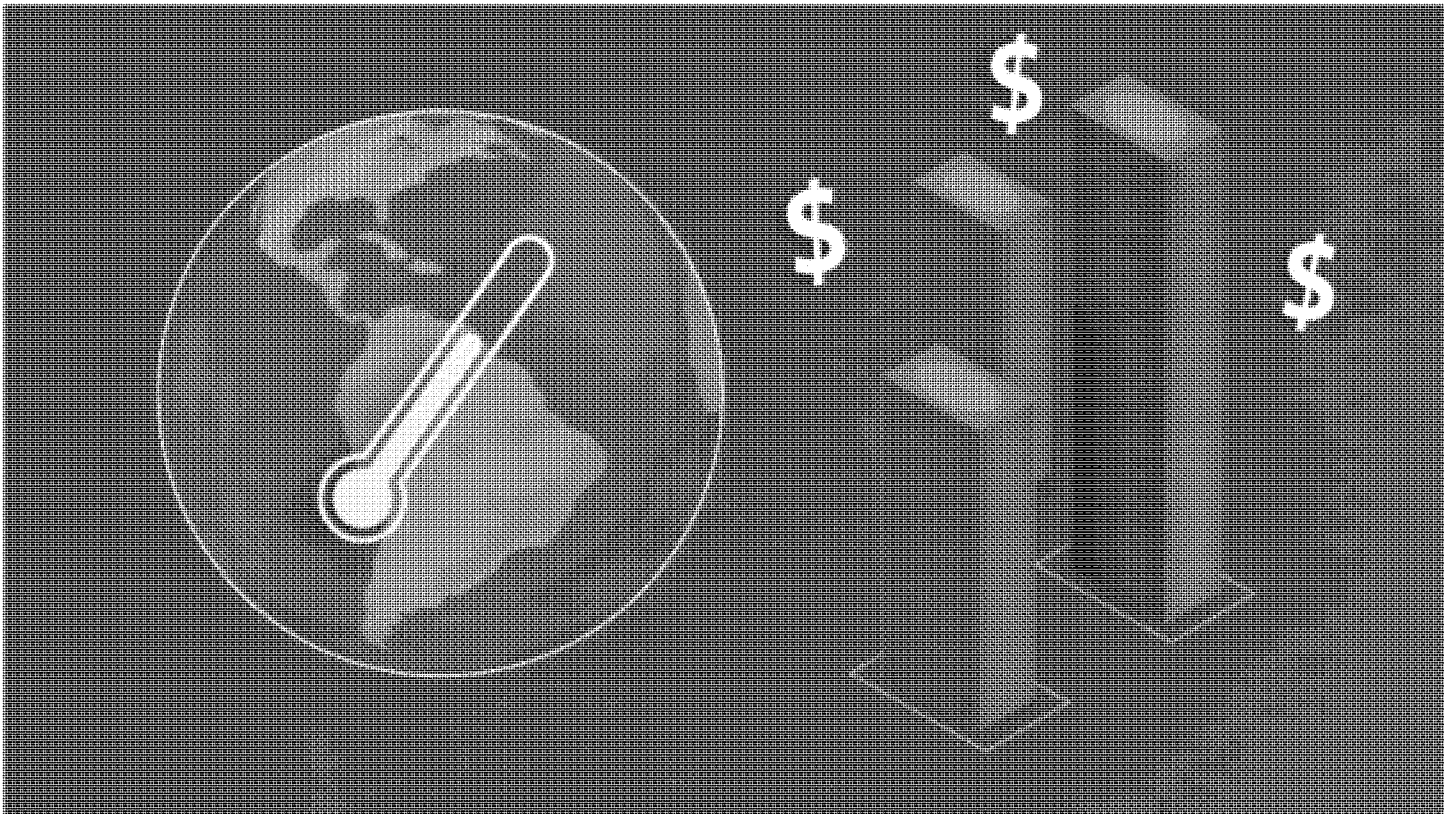
He said environmentalists in the past have advocated for such a strategy as a way to target and close coal-fired power plants, which many states will see as a threat to low prices and reliable power.

Mr. Regan and agency officials wouldn’t detail specific plans for each rule change. Mr. Regan said the proposed rules are aimed at shielding poor and minority neighborhoods that often get the brunt of power plant pollution, along with cutting greenhouse-gas emissions.

**How Much Would It Cost to Reduce Global Warming? \$131 Trillion Is One Answer**

0:00 / 4:38





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Money is a sticking point in climate-change negotiations around the world. As economists warn that limiting global warming to 1.5 degrees Celsius will cost many more trillions than anticipated, WSJ looks at how the funds could be spent, and who would pay. Illustration: Preston Jessee/WSJ

In addition to toxic pollutants such as mercury, the EPA also plans to propose tougher standards to reduce visible air pollution, or haze, generated by power plants.

Congress in 1977 required the EPA to improve air clarity in national parks and wilderness areas, primarily in the West. Advocates credit the Regional Haze Program for leading to the closure of several coal-fired power plants.

The EPA adopted its Mercury and Air Toxics Standards for power plants in 2012, but the Republican Trump administration revised those and other regulations, saying that they were too burdensome.

The White House is reviewing an EPA draft proposal to effectively reinstate the mercury rule and strengthen its limits on toxic emissions.

The EPA also announced last summer it would revisit changes made in 2020 to Effluent Guidelines for power-plant wastewater. It plans to issue a proposal by this fall to strengthen discharge limits.

More stringent power-plant regulations were relatively rare from the Biden administration in its first year. The EPA, under Mr. Regan, has finished rules that limit the use of coolant chemicals that are potent greenhouse gases, and rules to lower emissions from passenger cars and trucks. The agency also has announced preliminary steps to limit greenhouse-gas emissions from the oil and gas industry.

Similar climate rules that Mr. Biden promised for power plants, however, haven't moved forward. The EPA so far has taken a back seat on the issue to Congress, which for months debated new clean-energy standards for power plants.

But late last year lawmakers dropped the idea under opposition from coal-state Sen. Joe Manchin (D., W.Va.).

And now, broader attempts to boost federal funding for cleaner electricity are also at risk of failing to get Mr. Manchin's likely essential vote to pass the Senate.

It would be a safe fallback for the EPA to pursue tighter regulations on other emissions more traditionally thought of as pollutants, said Jonathan Skinner-Thompson, a former EPA lawyer now a law professor at the University of Colorado.

The EPA has more explicit, direct authority from Congress to do things like reduce haze or lower mercury pollution, he said. And regulations to address those problems often end up addressing climate change, too, most significantly by encouraging the industry to replace old, fossil-fuel burning plants with new, more efficient, wind or solar units.

“If we make [coal-fired plants] more expensive from other pollutants, rather than spend money to retrofit, it may just be better for them to shut down,” Mr. Skinner-Thompson said. “Then you get the climate benefits without necessarily having to directly regulate greenhouse gas emissions.”

Mr. Regan said he isn’t deploying the strategy because he sees any limits to the agency’s authority to address climate change directly. He calls a “holistic approach” for power-plant regulation a better way to spur reductions from across the broad list of pollutants that come from these plants, while also expediting cuts to carbon dioxide and other greenhouse gases.

“It’s much more than just a carbon strategy,” Mr. Regan said. “I’m convinced if we’re going to protect people and communities and the environment and the planet, we have to do all of the above.”

—*Katy Stech Ferek contributed to this article.*

**Write to** Timothy Puko at

Nick Conger  
EPA Press Secretary  
202-941-1116

## Message

**From:** Cortez Russell, Loni [Russell.Loni@epa.gov]  
**Sent:** 2/1/2022 3:27:36 AM  
**To:** External\_Stakeholder\_Outreach\_Group [External\_Stakeholder\_Outreach\_Group@epa.gov]  
**CC:** Utech, Dan [Utech.Dan@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Subject:** Stakeholder Statements: MATS  
**Attachments:** MATS Stakeholder Roundup 1-31-22.docx

First round of MATS statements (attached and below)

## American Academy of Pediatrics, the American Lung Association, American Public Health Association and Physicians for Social Responsibility: Four Health and Medical Groups Support EPA's Proposed Mercury and Air Toxics Rule

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Further, our organizations support strengthening the Mercury and Air Toxics Standards through EPA's residual risk and technology review. EPA should follow the latest science and update the standards to protect the health of all Americans, particularly children. For example, recent research from the Harvard School of Public Health has shown that the net benefits of reducing mercury are much larger than EPA previously estimated. Our organizations support EPA's proposal to reaffirm the finding that the Mercury and Air Toxics Standards are appropriate and necessary and will continue to advocate for stronger safeguards."

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Under the cover of the COVID-19 pandemic, and despite widespread opposition, former EPA Administrator Andrew Wheeler — a former coal lobbyist — reversed the legal finding, based on a bogus cost benefit analysis that economists said had "deep flaws." The move was meant to entice coal companies to attack MATS in court, which came to pass when Westmoreland Mining Holdings swiftly filed a lawsuit. Earthjustice clients intervened to block that coal industry maneuver in June of 2020.

“This action will protect MATS from coal industry court challenges,” said Earthjustice attorney Neil Gormley. “Now EPA must stay on the offensive in the fight for public health. We look forward to working with the agency as it moves ahead to strengthen MATS and other essential clean air rules.”

## Edison Electric Institute: EEI Supports EPA Action to Restore the Appropriate and Necessary Determination for MATS

*Edison Electric Institute (EEI) President Tom Kuhn issued the following statement:*

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Restoring the appropriate and necessary finding enables electric companies to remain focused on getting the energy we provide as clean as we can as fast as we can, while maintaining the reliability and affordability that our customers value. We look forward to working with Administrator Regan and EPA as they continue to gather information about the performance of today’s generating fleet.”

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The previous administration tried to weaken the Mercury and Air Toxics Standards by attacking the ‘appropriate and necessary’ finding – the legal underpinnings of this resounding success story. Today, EPA has taken a welcome first step toward reversing that wholly unfounded action and restoring the finding. EPA is also requesting comments on whether it should take further steps to strengthen these critical safeguards. We believe it absolutely should. While the Mercury and Air Toxics Standards have been successful, there are still many coal plants that release significant amounts of mercury pollution and put American families at risk. EDF has published a map highlighting the top thirty mercury polluters and their locations around the country.

EPA has a clear authority and responsibility to protect Americans from mercury and other toxic pollution from power plants, and today’s finding reflects that. Next we must strengthen the Mercury and Air Toxics Standards so we can do more to protect our children and communities from toxic pollution.”

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EPA's proposal to reinstate the legal foundation of the standards that limit mercury and other toxic, carcinogenic pollution from coal-fired power plants is a public health necessity. It will shore up standards that have helped slash mercury pollution by more than 80%. However, parents can't rest easy just yet. Not when coal plants continue to emit dangerous quantities of hazardous air pollution, including 33,000 pounds of mercury each year.

It is time to move forward with strengthening the substantive protections in the Mercury and Air Toxics Standards so that brain damage in children, as well as pollutants that cause cancer, lung disease, and other serious health harms, are no longer a threat to our families' health and well-being."

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Loni Cortez Russell

Deputy Associate Administrator, Office of Public Engagement and Environmental Education

U.S. EPA Office of the Administrator

Cell: 202-819-3990 | she/her

**What They're Saying: Mercury and Air Toxics Standards (MATS) Announcement**  
Stakeholder Statement Roundup  
January 31, 2022

[TOC \o \z \u \h]

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## Message

**From:** Millett, John [Millett.John@epa.gov]  
**Sent:** 2/1/2022 1:53:46 PM  
**To:** OAR Briefings [OAR\_Briefings@epa.gov]  
**Subject:** FW: MATS News Clips: 1/31/2022

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**From:** Jones, Enesta <Jones.Enesta@epa.gov>  
**Sent:** Tuesday, February 1, 2022 7:30 AM  
**To:** Cortelyou-Lee, Jan <Cortelyou-Lee.Jan@epa.gov>; Ashley, Jackie <Ashley.Jackie@epa.gov>; Noonan, Jenny <Noonan.Jenny@epa.gov>; Millett, John <Millett.John@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>  
**Cc:** AO OPA Media Relations <AO\_OPA\_Media\_Relations@epa.gov>  
**Subject:** MATS News Clips: 1/31/2022

**AP: EPA restores rule to limit power-plant mercury emissions**

<https://apnews.com/article/business-health-environment-and-nature-donald-trump-environment-3155202c643bbece7e0854a5e13d257c>

**Bloomberg: Power Plant Mercury Limits Get Legal Underpinnings Restored**

<https://news.bloomberglaw.com/environment-and-energy/mercury-air-rules-get-restored-legal-boost-under-epa-proposal>

**CNN: EPA to bring back mercury pollution rules that were nixed under Trump administration**

<https://www.cnn.com/2022/01/31/politics/epa-mercury-pollution-coal-plants-climate/index.html>

**E&E News: Biden admin moves to slash air toxics, boost clean energy**

<https://www.eenews.net/articles/biden-admin-moves-to-slash-air-toxics-boost-clean-energy/>

**Law360: EPA Floats Stabilizing Mercury Emissions Rule**

<https://www.law360.com/articles/1460408/epa-floats-stabilizing-mercury-emissions-rule>

**Reuters: U.S. EPA moves to advance mercury and air toxics rule**

<https://www.reuters.com/world/us/us-epa-moves-advance-mercury-air-toxics-rule-2022-01-31/>

**The Hill: Biden administration proposes restoration of power plant rules undermined by Trump**

<https://thehill.com/policy/energy-environment/592133-biden-administration-proposes-to-restore-legal-basis-for-power>

**NYT: Biden Administration to Reinstate Mercury Pollution Rules Weakened Under Trump**

<https://www.nytimes.com/2022/01/31/climate/epa-mercury-pollution-coal.html>

**WaPo: EPA affirms its right to limit mercury from power plants, as part of Biden's broader push to curb climate pollution**

<https://www.washingtonpost.com/climate-environment/2022/01/31/mercury-power-plants-epa-climate/>

**WSJ: EPA Moves to Restore Obama-Era Rules on Power Plants**

<https://www.wsj.com/articles/epa-moves-to-restore-obama-era-rules-on-power-plants-11643664569>

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**AP: EPA restores rule to limit power-plant mercury emissions**

<https://apnews.com/article/business-health-environment-and-nature-donald-trump-environment-3155202c643bbece7e0854a5e13d257c>

By Matthew Daly

WASHINGTON (AP) — In yet another reversal of a Trump-era action, the Environmental Protection Agency said Monday it will resume enforcement of a rule that limits power plant emissions of mercury and other hazardous pollutants.

The EPA action restores a 2012 rule imposed under President Barack Obama that was credited with curbing mercury's devastating neurological damage to children and prevented thousands of premature deaths while reducing the risk of heart attacks and cancer, among other public health benefits.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement. "EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of ZIP code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

The action is another example of the Biden administration reinstating environmental protections loosened under President Donald Trump.

President Joe Biden has set a goal to make the U.S. electricity sector carbon-neutral by 2035, but a sweeping, \$555 billion plan to promote clean energy such as wind and solar power remains stalled in Congress, following an objection by Sen. Joe Manchin, D-W.Va.

Even without legislation, Biden can pursue his climate agenda through rules and regulations. But those can be undone by subsequent presidents, as demonstrated by the mercury rule and other environmental actions taken under Trump.

The EPA has announced a series of regulatory actions under Regan, including a plan to impose stronger limits on tailpipe emissions from cars and trucks and tighten restrictions on emissions of methane, a leading contributor to global warming.

The Interior Department also has announced approval of large-scale solar projects in California and other states and backed major offshore wind projects along the East Coast.

Still, Biden's agenda remains at risk and could be jeopardized further by a Supreme Court case scheduled to be heard in late February. Justices will hear arguments in a case brought by West Virginia that could undercut EPA's ability to regulate greenhouse gas emissions from coal-fired power plants under the Clean Air Act.

The Trump administration gutted the mercury rule on power plants in 2020, saying the earlier rule amounted to regulatory overreach that imposed undue harm on the power sector. Andrew Wheeler, the former coal lobbyist who headed the EPA under Trump, said the 2020 action balanced the rule's cost to utilities with public safety.

In reversing that decision, the EPA said the Trump-era action was "based on a fundamentally flawed interpretation of the Clean Air Act that improperly ignored or undervalued vital health benefits from reducing hazardous air pollution from power plants."

Based on a thorough review of the benefits, the “reasonable costs of controls” and other factors, “EPA is proposing to reaffirm that it is appropriate and necessary to regulate emissions of hazardous air pollutants from coal- and oil-fired power plants,” the agency said.

Environmental groups welcomed the change, which they had been urging for months.

“EPA has a clear authority and responsibility to protect Americans from mercury and other toxic pollution from power plants, and today’s finding reflects that,” said Michael Panfil, a lawyer for the Environmental Defense Fund.

The next step is to strengthen the Obama-era rule, Panfil and other environmentalists said.

“While the Mercury and Air Toxics Standards have been successful, there are still many coal plants that release significant amounts of mercury pollution and put American families at risk,” he said.

The Obama-era rule led to what electric utilities say was an \$18 billion cleanup of mercury and other toxins from the smokestacks of coal-fired power plants.

Most coal-fired power plants have already made the technological upgrades required by the 2012 rule. A group representing investor-owned electric companies hailed EPA’s action to restore a legal determination that the mercury rule was appropriate and necessary.

“Since 2010, our industry has reduced its mercury emissions by more than 91%,” said Tom Kuhn, president of the Edison Electric Institute, an industry lobbying group.

“Restoring the ‘appropriate and necessary’ finding enables electric companies to remain focused on getting the energy we provide as clean as we can as fast as we can,” while maintaining reliability and affordability, Kuhn said.

Coal-fired power plants are the largest single manmade source of mercury pollutants, which enter the food chain through fish and other items that people consume.

#### **Bloomberg: Power Plant Mercury Limits Get Legal Underpinnings Restored**

<https://news.bloomberglaw.com/environment-and-energy/mercury-air-rules-get-restored-legal-boost-under-epa-proposal>

**BY JENNIFER HIJAZI**

The Biden administration on Monday unveiled plans to restore key language that justifies mercury and air toxics rules, establishing that emission limits for coal-fired plants are “appropriate and necessary.”

That legal finding was tossed under the Trump administration in 2020, a hotly contested move that many argued weakened some of the most powerful clean air and water standards EPA has in its arsenal.

“The previous administration’s attempt to undermine them was unconscionable and unlawful, and we thank EPA for today’s proposal to correct it,” the American Academy of Pediatrics, the American Lung Association, and other health groups said in a statement on the proposal.

The proposed rule from the Environmental Protection Agency would affirm cornerstone language of Mercury and Air Toxics Standards, or MATS.

“EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives,”

Administrator Michael Regan said in a statement.

‘Breathe a Little Easier’

The proposal doesn't suggest increasing the standards' stringency, but does leave the door open for future rulemaking. Part of the proposal calls for more information on improving costs and performance of emission control technology, the agency said.

"Fortunately, we can now breathe a little easier knowing that EPA is sticking with what most of us know to be true—clean air is integral to healthy communities and a thriving economy," Senate Environment and Public Works Committee Chairman Tom Carper (D-Del.), said in a statement.

Health groups applauded the move, and said they still want more stringent standards.

"President Biden's EPA must now strengthen the MATS rule," Patrick Drupp, Sierra Club Deputy Legislative Director for Climate and Clean Air, said in a statement. "No amount of toxic pollution is acceptable in the air we breathe, especially when there are feasible, cost effective means of protecting public health."

Since the rule's creation in 2012, power plant emissions of hazardous mercury pollution into the air and water have been reduced by 86%. The emissions can lead to issues including neurological defects and cardiovascular problems.

### **CNN: EPA to bring back mercury pollution rules that were nixed under Trump administration**

<https://www.cnn.com/2022/01/31/politics/epa-mercury-pollution-coal-plants-climate/index.html>

By Ella Nilsen

(CNN) — The Environmental Protection Agency announced on Monday it intends to reaffirm its authority to regulate toxic mercury from power plant smokestacks, undoing a Trump-era rollback.

The EPA is proposing to bring back the 2012 Mercury and Air Toxics Standards rules that were first implemented during the Obama administration. The rules require power plants to reduce pollutants, including mercury and acid gases, which Biden administration officials say will improve public health.

Mercury is a neurotoxin with several health impacts, including its harmful effect on brain development in children.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael S. Regan said in a statement. "EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

The Trump administration reversed the rules in May 2020, saying they were not "appropriate and necessary" because they were too burdensome to industry.

The EPA said it is also examining whether to make the rules more stringent.

Monday's announcement is one of several recent EPA regulations targeting toxins emitted from smokestacks and coal ash ponds. On their face, the air and wastewater rules would not regulate greenhouse gas emissions, but they could have that effect.

The agency faces a significant legal challenge at the US Supreme Court later this month in a case that questions its authority to regulate greenhouse gas emissions.

"We don't have to overly rely on any one rule," Regan told the Wall Street Journal in a recent interview. "It's looking at the full suite of authorities to maximize our ability to protect communities and public health."

The mercury rules sharply reduced mercury emissions while they were in place, according to the EPA. Compared to 2010 levels, mercury emissions from power plants were down by 86% by 2017, five years after the rules were implemented, according to a news release. Acid gas emissions were also down by 96%, and non-mercury metal emissions were down by 81%.

Senate Environment and Public Works Chair Tom Carper applauded the proposed rules change.

"Every American — no matter their zip code — deserves to live in a community that is free of mercury and other harmful air pollution," Carper said in a statement.

The EPA will take public comment on the proposal for 60 days and plans hold a virtual public hearing on the rules.

### **E&E News: Biden admin moves to slash air toxics, boost clean energy**

<https://www.eenews.net/articles/biden-admin-moves-to-slash-air-toxics-boost-clean-energy/>

By Sean Reilly



For the fourth and perhaps final time, EPA today asserted its authority to regulate some of the most toxic air releases from power plants in hopes of ending a seesaw regulatory fight that has spanned decades and once reached the Supreme Court.

EPA's proposed rulemaking advances the Biden administration's climate goals and pledges to address environmental justice and efforts to boost cleaner energy.

But with the agency's ability to regulate power industry carbon emissions now at risk from another pending case before the high court, the draft rule released this afternoon could also presage a broader EPA campaign to further the Biden administration's climate goals by other means (Climatewire, Jan. 24).

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement. "EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

In the newly released draft, the agency reaffirmed the legally required finding that it is "appropriate and necessary" to limit emissions of mercury, arsenic and other hazardous pollutants from coal-fired power plants. If made final, the proposal would reverse a Trump administration decision to scrap that finding, which laid the foundation for seminal regulations issued a decade ago that have helped slash those emissions.

Because all major utilities have long since come into compliance with what are formally known as the Mercury and Air Toxics Standards, the proposal will have no immediate practical impact if made final. But it could shield the standards from a coal company lawsuit filed two years ago alleging that they should be revoked because their legal basis no longer exists. EPA is also seeking public feedback on the option of tightening the existing emissions limits based on advances in pollution control technology over the last decade.

In a flurry of news releases, environmental and public health groups — and even industry — swiftly applauded the proposal and urged further action.

"Now EPA must stay on the offensive in the fight for public health," Earthjustice attorney Neil Gormley said. "We look forward to working with the agency as it moves ahead to strengthen MATS and other essential clean air rules."

Also expressing gratitude was a top utility industry trade group that's usually not a fan of EPA. Restoration of the appropriate and necessary finding "enables electric companies to remain focused on getting the energy we provide as clean as we can as fast as we can, while maintaining the reliability and affordability that our customers value," said Tom Kuhn, president of the Edison Electric Institute.

Power companies had opposed the Trump administration's 2020 decision to revoke the finding for fear that it could imperil their ability to recoup MATS compliance costs from ratepayers.

Under the 1990 Clean Air Act amendments, EPA had to formally make that determination before issuing the standards. After the Clinton administration initially made the finding in 2000, it was revoked by the George W. Bush administration and then reaffirmed under President Obama in 2012 and 2016.

Because mercury is a neurotoxin that can affect babies' brain development, the Trump administration's decision to roll back the finding was particularly hard-fought. In justifying its decision, the Trump EPA pointed to the original cost-benefit analysis, which found that almost all the quantifiable health gains would come from "co-

benefits” stemming from cuts in soot-forming pollutants that were not among those directly targeted by the standards.

The contrast with the standards’ projected \$9.6 billion compliance cost later caught the attention of the Supreme Court, which in a 2015 opinion allowed the emission limits to go into effect but found that EPA should have considered compliance expenses in making the appropriate and necessary finding. The agency reaffirmed the finding the following year.

### **Law360: EPA Floats Stabilizing Mercury Emissions Rule**

<https://www.law360.com/articles/1460408/epa-floats-stabilizing-mercury-emissions-rule>

By Juan Carlos Rodriguez

The U.S. Environmental Protection Agency on Monday proposed reinstating an Obama-era legal finding — which had been struck down by the Trump administration — that underpinned mercury emissions standards for power plants.

EPA Administrator Michael Regan, pictured in December, said in a statement on Monday that the agency "is committed to aggressively reducing pollution from the power sector." (AP Photo/Jacquelyn Martin, File)

In yet another important regulatory flip-flop, the EPA said health benefits stemming from 2012 mercury and air toxics standards rule outweighed compliance costs. The finding restores the Obama administration's conclusion that it was "appropriate and necessary" to regulate mercury emissions for coal- and oil-fired power plants under the Clean Air Act. That finding was a prerequisite for the actual regulations.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement Monday. "EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives."

The EPA under former President Donald Trump had said it was improper for the Obama administration to consider benefits from the regulation that weren't achieved by the targeted pollutants that were the subject of the rule. By leaving out the benefits of reducing particulate matter emissions, the Obama-era MATS rule cost more than it helped, officials said.

The regulations themselves have never been struck down — the Trump administration chose to revoke the "appropriate and necessary" finding but leave the rule in place. So not much will change in practice.

There were several lawsuits filed against the EPA in the wake of its decision.

Coal company Westmoreland Mining Holdings LLC used the opportunity to ask the D.C. Circuit to undo the Obama-era limits on coal-fired power plants' mercury emissions, arguing that since the legal justification for the standards had been removed, the regulations could not stand.

Blue state attorneys general and environmental advocacy groups sued the agency over the reversal itself.

And power generators including Calpine Corp. and Puget Sound Energy also filed petitions for review of the EPA's reversal at the D.C. Circuit.

All that litigation has been paused since the Biden administration took power in 2021.

The EPA's Monday announcement drew praise from several quarters.

Tom Kuhn, president of the Edison Electric Institute, an association that represents all U.S. investor-owned electric companies, noted the group's member companies have already had the MATS rule implemented for years.

"EEI's member companies, and the electric power industry collectively, have invested more than \$18 billion to install pollution control technologies to meet these standards," Kuhn said in a statement. "Since 2010, our industry has reduced its mercury emissions by more than 91 percent, and we have seen a significant change in our nation's energy mix, which is getting cleaner and cleaner every day."

Patrick Drupp, the Sierra Club's deputy legislative director for climate and clean air, urged the EPA to go even further.

"President Biden's EPA must now strengthen the MATS rule," Drupp said in a statement Monday. "No amount of toxic pollution is acceptable in the air we breathe, especially when there are feasible, cost effective means of protecting public health."

And John Walke, director of the clean air program at the Natural Resources Defense Council, said the mercury emissions standards do have important effects.

"These safeguards work — and there's proof, if you look at the decrease in mortality, asthma and other health outcomes since they first took effect in 2015," Walke said in a statement Monday. "With the Biden-Harris administration clearing away the Trump EPA's attempted sabotage of these standards, now EPA needs to strengthen the standards to better protect Americans and U.S. air quality."

#### **Reuters: U.S. EPA moves to advance mercury and air toxics rule**

<https://www.reuters.com/world/us/us-epa-moves-advance-mercury-air-toxics-rule-2022-01-31/>

**By Valerie Volcovici**

WASHINGTON, Jan 31 (Reuters) - The U.S. Environmental Protection Agency on Monday revived an Obama administration-era legal finding that regulating hazardous air toxics and mercury from power plants is necessary, a key step before it can strengthen those air regulations.

The move to deem the Mercury and Air Toxics Standards (MATS) "appropriate and necessary" would pave the way for the EPA to update the power plant regulation. Power plants are the largest source of those toxic pollutants.

Former President Donald Trump's EPA had reversed that legal finding in 2020, citing flaws in the Obama EPA's cost-benefit analysis of the rule. That reversal effectively weakened the MATS rule because it opened the door to lawsuits by companies opposed to it.

"EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives," said EPA Administrator Michael Regan.

The new proposal would leave the current MATS unchanged but would begin the process to gather public health information and public input it needs to strengthen the regulation.

The Obama EPA had concluded in 2012 that controlling mercury, acid gases, and other harmful pollutants could reduce heart attacks and cancer risks and avoid neurodevelopmental delays in children justified the costs of compliance.

The calculations used at the time, however, accounted for how pollution-control equipment at coal plants would reduce emissions of particulate matter and other harmful substances that come out of smokestacks, in addition to mercury.

Trump's EPA said it believed it was inappropriate to have included the benefits of reducing emissions other than mercury.

"The previous administration ignored science as it attempted to turn back the clock on these protections," said Democratic Senator Tom Carper.

The MATS rule has helped drive sharp reductions in air pollutants, according to the EPA. The agency estimates that by 2017, mercury emissions from power plants were reduced by 86%; acid gas emissions were reduced by 96%, and non-mercury metal emissions were reduced by 81% percent compared with pre-MATS levels in 2010.

### **The Hill: Biden administration proposes restoration of power plant rules undermined by Trump**

**<https://thehill.com/policy/energy-environment/592133-biden-administration-proposes-to-restore-legal-basis-for-power>**

**By Rachel Frazin**

The Biden administration on Monday proposed restoring the legal underpinnings of power plant pollution regulations following a Trump administration rollback.

In 2020, the Trump administration undercut a regulation known as the Mercury and Air Toxics Standards (MATS) rule by changing its legal justification in a way that made it more vulnerable to lawsuits.

The MATS rule, in general, puts limits on how much of these toxic substances coal and oil power plants can release into the air. Mercury is a neurotoxin that is particularly harmful to children.

Neither the 2020 rule nor Monday's action made any changes to the Obama-era standards themselves.

Instead, the Biden administration on Monday proposed to affirm that it is "appropriate and necessary" to regulate the emissions of these pollutants from power plants, while the Trump administration had said the regulations were not appropriate and necessary.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement.

"EPA is committed to aggressively reducing pollution from the power sector so that all people, regardless of zip code or amount of money in their pocket, can breathe clean air and live healthy and productive lives," he said.

According to the EPA's website, the standards are estimated to have prevented between 4,200 and 11,000 premature deaths annually.

At the time of the rollback, critics argued that the Trump administration was working to give polluters who wanted to sue in order to eliminate the rules an advantage in court. And, following the changes, a coal company challenged the MATS rule in court.

The Trump administration had found that the billions in costs that compliance would impose on power producers annually outweighs the \$4 million to \$6 million in benefits that the regulation would provide. The Obama administration had found that the benefits would be worth \$90 billion.

The vast discrepancy between the potential benefits came down to how they were calculated and specifically the Trump administration's exclusion of "co-benefits" — or indirect benefits gleaned from the rules' impact on pollutants that are not strictly "targeted" by the rule.

Meanwhile, Monday's proposal also indicated the Biden administration will take a second look at possibly implementing additional regulations.

It said that it would review the Trump administration's finding that with the current standards in place, there aren't remaining risks from the power plants' emissions of the substances in question. The outcome will be announced in a separate action.

**WaPo: EPA affirms its right to limit mercury from power plants, as part of Biden's broader push to curb climate pollution**

<https://www.washingtonpost.com/climate-environment/2022/01/31/mercury-power-plants-epa-climate/>

By Dino Grandoni

Biden administration officials are kicking off a crackdown on power plant pollution, aiming to shift the nation's electricity supply to cleaner energy in the face of congressional resistance and a Supreme Court that could limit the federal government's ability to tighten public health standards.

On Monday, the Environmental Protection Agency affirmed its authority to curb mercury from smokestacks, reversing a 2020 Trump administration policy. The move signals a broader effort by the administration to cut

greenhouse gases and other pollutants from U.S. power plants, which rank as the nation's second-biggest contributor to global warming.

President Biden has pledged to make the U.S. electricity sector carbon-neutral by 2035, but his deputies may have to rely on their existing federal authority now that Sen. Joe Manchin III (D-W.Va.) has blocked the president's plan to provide utilities with incentives to transition faster to clean energy. And in late February, the Supreme Court will hear arguments in a case brought by West Virginia that may undercut EPA's ability to regulate greenhouse gas emissions from coal-fired power plants in the future.

But EPA can pressure the nation's dirtiest coal plants to shut down through other means, and the administration is beginning to exercise its leverage.

"Regulations to require power producers to bear the costs of their own pollution are decades overdue," said Thom Cmar, an attorney with the law firm AltmanNewman who represents environmental groups.

The agency determined Monday that it is "appropriate and necessary" to limit mercury and other toxic air pollutants from power plants. Exposure to the heavy metal — which wafts into the air from coal plants and settles in lakes and streams and enters the food chain after being absorbed by fish — can harm brain development in babies and cause heart disease in adults.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," EPA Administrator Michael Regan said in a statement.

The proposed legal finding does not change mercury control requirements adopted under Barack Obama, but it abolishes a Trump-era determination that said these limits were unnecessary and that threatened to narrow the health benefits EPA would consider when crafting clean air rules. And it lays the groundwork for tightening mercury controls in the future, which Biden officials may pursue.

Environmental Defense Fund general counsel Vickie Patton said "it's urgent" to update those standards, arguing that many coal plants still emit far too much mercury.

"Those standards, they're out of date," she said. "They need to be modernized to protect people from the most toxic contaminants that are discharged from coal plants."

With expensive "scrubber" technology already installed across power plants nationwide, many utilities support restoring the underlying legal basis for limits on air toxins. Edison Electric Institute President Tom Kuhn, whose group represents investor-owned electricity providers, said his members, "and the electric power industry collectively, have invested more than \$18 billion to install pollution control technologies to meet these standards."

But to meet the president's ambitious goal to decarbonize the power sector, his team must do much more.

Later this year, the EPA plans to outline new standards for greenhouse gas emissions from existing fossil fuel plants, which would replace the Obama-era Clean Power Plan. The Supreme Court blocked that regulation from taking effect in 2016, and the U.S. Court of Appeals for the District of Columbia Circuit struck down Trump's replacement rule a day before Biden took office.

But the agency will strain to craft a rule that can withstand scrutiny from an increasingly conservative Supreme Court. Now with three Trump-appointed justices, the high court will hear a case in February brought by Republican-led states and the coal industry challenging whether the EPA has authority to limit power plants' greenhouse gases under the Clean Air Act.

The case is unusual since the federal government does not have a policy limiting power plants' carbon dioxide emissions on the books.

"Normally the court would wait until they have a new rule to review," said Carrie Jenks, executive director of Harvard Law School's Environmental and Energy Law Program, adding that EPA officials "obviously have to see what the Supreme Court says. And the Supreme Court could say things that would change their timing."

But West Virginia Attorney General Patrick Morrisey, who leads the lawsuit against the EPA, said Congress has never given federal officials the authority to transform the way utilities produce power in the first place.

"This is a really important case for the future of our republic because it raises a number of important questions," he said in a recent interview. "Who do we want to make the nation's most important, life-changing decisions? Do we want elected representatives who are accountable to the people? Or do we want unelected bureaucrats?"

Beyond capping greenhouse gas emissions, the Biden administration is taking other steps that, when combined, will make it more costly to burn coal and could hasten the closure of polluting power plants.

"All these hidden environmental and public health costs need to be brought back into the equation, so coal and gas aren't getting a free ride," said Jeremy Symons, an environmental consultant who co-wrote a 300-page blueprint in 2020 laying out how the EPA can avoid some of the pitfalls that slowed down the Obama administration.

This fall, for instance, the EPA plans to propose a rule compelling many coal-fired plants to update filtration systems that treat wastewater laced with arsenic and other contaminants before reaching drinking water. The stricter requirements would undo one of the Trump administration's regulatory rollbacks. At least 20 power plants have told state regulators they may need to close or switch to natural gas if those wastewater requirements take effect, according to the Sierra Club.

The agency is also ramping up enforcement of another power plant rule: toxic coal ash disposal. About 500 unlined surface impoundments of waste from coal combustion threaten to leach contaminants such as mercury, cadmium and arsenic into nearby water. On Jan. 11, the EPA proposed denying requests from three power plants — in Indiana, Iowa and Ohio — to extend the use of their coal ash sites.

"We think it's just a matter of time" until there is a contamination problem, said Richard Hill, an activist who lives near the Clifty Creek Power Station on the Ohio River in Indiana. "Eventually, there will be issues."

EPA spokeswoman Lindsay Hamilton said the Biden administration is working to "identify the full range of our regulatory tools and consider how best to apply them to address the multipollutant impacts of the power sector."

Over the past decade, the economics of running coal plants have become harder in the face of competition from cheaper gas-fired energy as well as wind turbines and solar farms.

Yet in pockets across the country, coal persists. One of the country's top mercury emitters is North Dakota's Coal Creek Station, according to an analysis by the Environmental Defense Fund. The plant was on the verge of shutting down when local officials rallied to save it by blocking competing wind and solar projects.

Overall, the pace of coal retirements slowed during Biden's first year in office, according to the U.S. Energy Information Administration, though that rate is expected to rise this year.

### **WSJ: EPA Moves to Restore Obama-Era Rules on Power Plants**

<https://www.wsj.com/articles/epa-moves-to-restore-obama-era-rules-on-power-plants-11643664569>

**By Katy Stech Ferek**

The Environmental Protection Agency on Monday moved to restore a federal determination that allowed it to regulate mercury, lead and other toxic metals from coal-fired and oil-fired power plants.

Under the Obama administration, the EPA said it had the authority to regulate emissions of mercury and other toxic metals from power plant emissions under the Clean Air Act as long as EPA officials determined it was "appropriate and necessary."

In 2020, the Trump administration withdrew that determination, saying that regulators made errors when calculating the costs and benefits of the rules. That revocation led a coal producer to ask the U.S. Court of Appeals for District of Columbia Circuit to eliminate the regulations that Obama-era officials had relied on to regulate air pollutants.

In reinstating the policy, the EPA said that controlling toxic emissions reduces cancer risks and neurodevelopmental delays in children.

Scoops, analysis and insights driving Washington from the WSJ's D.C. bureau.

"Sound science makes it clear that we need to limit mercury and toxins in the air to protect children and vulnerable communities from dangerous pollution," said EPA Administrator Michael Regan.

The Wall Street Journal reported last week that the EPA was moving to toughen rules on power plants as part of President Biden's efforts to curb greenhouse-gas emissions blamed for climate change.

Monday's proposal, if enacted, would mark a setback for coal miner Westmoreland Mining Holdings LLC, which had asked the court to get rid of regulations that require operators of the country's coal- and oil-burning power plants to cut emissions, including by installing filtration equipment that strained the pollutants from the air. A judge has yet to rule on that request.

Public-health and environmental groups said the existing regulations, which set an April 2015 compliance deadline for operators, have been effective at cutting air pollutants emissions. Mercury emissions from power plants dropped by 86% in 2017 compared with 2010 levels, according to an EPA estimate.

Before the regulations, power plants ranked as the largest domestic source of mercury, the agency said.

Mercury, arsenic and other toxic metals are released into the air from power plant smokestacks and make their way into U.S. waterways and to the food chain, leading to fish consumption advisories. They are linked to brain developmental problems in infants and cancer.



Federal law requires regulators who make rules under the Clean Air Act to first determine that the protections are appropriate and necessary. They first made that determination related to coal-fired and oil-fired power plants in 2000, then reaffirmed it as the 2012 regulations were released.

A year ago, Mr. Biden ordered EPA officials to review the Trump administration's revocation related to the mercury emissions rules, known as the Mercury and Air Toxics Standards. EPA officials will take comments for 60 days on Monday's proposal.

Message

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**From:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Sent:** 9/15/2021 9:44:01 PM  
**To:** Gibson, Neshawne [Gibson.Neshawne@epa.gov]  
**Subject:** Administrator's Weekly Report for 9/15/21  
**Attachments:** Administrator Weekly Report 9.15.21 FINAL.pdf; Administrator Weekly Report 9.15.21 FINAL.docx

Hello Administrator Regan and colleagues,

Attached, please find the Administrator's Weekly Report (in both PDF and Word), which includes programs and regional office updates for the week ending September 15, 2021.

Sincerely,

Neshawne Gibson  
Office of the Administrator  
US Environmental Protection Agency  
Phone: (202) 566-1957  
Mobile: (202) 603-7617

## Appointment

**From:** Nishida, Jane [Nishida.Jane@epa.gov]  
**Sent:** 11/24/2021 8:15:36 PM  
**To:** Nishida, Jane [Nishida.Jane@epa.gov]; Freedhoff, Michal [Freedhoff.Michal@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Waterhouse, Carlton [Waterhouse.Carlton@epa.gov]; Frey, Christopher [Frey.Christopher@epa.gov]; Cascio, Wayne [Cascio.Wayne@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]; Bermudez, Navis [Bermudez.Navis@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Fox, Radhika [Fox.Radhika@epa.gov]  
**CC:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]; Hoskinson, Carolyn [Hoskinson.Carolyn@epa.gov]; Almodovar, Paul [Almodovar.Paul@epa.gov]; Lowrey, Daniel [Lowrey.Daniel@epa.gov]; Kasman, Mark [kasman.mark@epa.gov]; Kovner, Karissa [Kovner.Karissa@epa.gov]; Keating, Terry [Keating.Terry@epa.gov]; Berns, Anne [Berns.Anne@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Goldberg, Ruby [Goldberg.Ruby@epa.gov]; Sims, JaniceHQ [Sims.JaniceHQ@epa.gov]; Civic, Melanne [Civic.Melanne@epa.gov]; Crossland, Andy [Crossland.Andy@epa.gov]; Ankrah, Rodges [Ankrah.Rodges@epa.gov]; Marzouk, Evonne [Marzouk.Evonne@epa.gov]; Vauter, Ben [Vauter.Ben@epa.gov]; Finman, Hodayah [Finman.Hodayah@epa.gov]; Kirkland, Kim [Kirkland.Kim@epa.gov]; Adrian, Stephanie [Adrian.Stephanie@epa.gov]; Yohannes, Lia [yohannes.lia@epa.gov]; Hackel, Angela [Hackel.Angela@epa.gov]; Adkins, Jocelyn [Adkins.Jocelyn@epa.gov]; Ferland, Henry [Ferland.Henry@epa.gov]; Anderson, Lydia [Anderson.Lydia@epa.gov]  
**Subject:** AA Level Coordination Meeting on Minamata Convention on Mercury  
**Attachments:** Agenda for AA-Level Briefing 12-14-21.docx; Mercury Briefing Background Paper.docx; EPA Accredited Delegates to COP 4-1.docx  
**Location:** Microsoft Teams Meeting  
**Start:** 1/6/2022 6:00:00 PM  
**End:** 1/6/2022 7:00:00 PM  
**Show Time As:** Busy

**Required Attendees:** Nishida, Jane; Freedhoff, Michal; Goffman, Joseph; Waterhouse, Carlton; Breen, Barry; Fox, Radhika; Frey, Christopher; Cascio, Wayne; Carbonell, Tomas; Prieto, Jeffrey; Hoffer, Melissa; Bermudez, Navis  
**Optional Attendees:** Arroyo, Victoria; Hoskinson, Carolyn; Almodovar, Paul; lowrey.daniel@epa.gov; Mark Kasman; Kovner, Karissa; Keating, Terry; Berns, Anne; Hilosky, Nick; Brooks, Becky; Goldberg, Ruby; Sims, JaniceHQ; Civic, Melanne; Crossland, Andy; Ankrah, Rodges; Marzouk, Evonne; Vauter, Ben; Hodayah Finman; Kirkland, Kim; Adrian, Stephanie; Lia Yohannes; Hackel, Angela; Jocelyn Adkins (Adkins.Jocelyn@epa.gov); Ferland, Henry; Anderson, Lydia

Meeting materials are attached. Contact Martin Dieu with questions.

## Microsoft Teams meeting

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Message

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**From:** Sims, JaniceHQ [Sims.JaniceHQ@epa.gov]  
**Sent:** 1/6/2022 5:57:59 PM  
**To:** Nishida, Jane [Nishida.Jane@epa.gov]; Freedhoff, Michal [Freedhoff.Michal@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Waterhouse, Carlton [Waterhouse.Carlton@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Frey, Christopher [Frey.Christopher@epa.gov]; Cascio, Wayne [Cascio.Wayne@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]; Arroyo, Victoria [Arroyo.Victoria@epa.gov]; Hoskinson, Carolyn [Hoskinson.Carolyn@epa.gov]; Almodovar, Paul [Almodovar.Paul@epa.gov]; Kasman, Mark [Kasman.Mark@epa.gov]; Kovner, Karissa [Kovner.Karissa@epa.gov]; Keating, Terry [Keating.Terry@epa.gov]; Berns, Anne [Berns.Anne@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Goldberg, Ruby [Goldberg.Ruby@epa.gov]; Civic, Melanne [Civic.Melanne@epa.gov]; Crossland, Andy [Crossland.Andy@epa.gov]; Ankrah, Rodges [Ankrah.Rodges@epa.gov]; Marzouk, Evonne [Marzouk.Evonne@epa.gov]; Vauter, Ben [Vauter.Ben@epa.gov]; Finman, Hodayah [Finman.Hodayah@epa.gov]; Lowrey, Daniel [Lowrey.Daniel@epa.gov]; Kirkland, Kim [Kirkland.Kim@epa.gov]; Adrian, Stephanie [Adrian.Stephanie@epa.gov]; Fox, Radhika [Fox.Radhika@epa.gov]

- Roll Call
- Scene Setting: Mercury and Administration Priorities (OITA)
- Minamata Convention Overview (OITA)
- COP 4.2 Preparations
  - Delegation (OITA)
  - Mercury Products, Processes and Customs Codes (OCSPP)
  - Mercury Releases (OLEM)
  - Mercury Waste (OLEM)
  - Effectiveness Evaluation (OITA)
  - Reporting (OITA)
- EPA Coordination Moving Forward (All)
- Next Steps

## Message

**From:** Goffman.Joseph@epa.gov [Goffman.Joseph@epa.gov]  
**Sent:** 10/9/2021 1:09:03 AM  
**To:** Niebling, William [Niebling.William@epa.gov]  
**CC:** McCabe, Janet [McCabe.Janet@epa.gov]  
**Subject:** Re: OAR Comms Outlook  
**Attachments:** OAR Comms Outlook 10.8.21.docx

And by that I hope you meant that you read the whole section all the way to the punchline...

Sent from my iPhone

On Oct 8, 2021, at 9:02 PM, Niebling, William <Niebling.William@epa.gov> wrote:

You two will not be surprised that I most closely read the blurb for this one:

**Denial of Petition for Reconsideration of PSD and non-attainment NSR - Project Emissions Accounting**

---

**From:** DeLuca, Isabel <DeLuca.Isabel@epa.gov>  
**Sent:** Friday, October 8, 2021 11:12 AM  
**To:** Adhar, Radha <Adhar.Radha@epa.gov>; Ashley, Jackie <Ashley.Jackie@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Boylan, Thomas <boylan.thomas@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>; Carroll, Timothy <Carroll.Timothy@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Conger, Nick <Conger.Nick@epa.gov>; Cortelyou-Lee, Jan <Cortelyou-Lee.Jan@epa.gov>; Davis, Alison <Davis.Alison@epa.gov>; Dolan, Emily <Dolan.Emily@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>; Graf, Michelle <Graf.Michelle@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hackel, Angela <Hackel.Angela@epa.gov>; Haman, Patricia <Haman.Patricia@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>; LaCount, Melanie <LaCount.Melanie@epa.gov>; Lau, Patrick <Lau.Patrick@epa.gov>; Laverdiere, Maria <Laverdiere.Maria@epa.gov>; Levy, Maxwell <Levy.Maxwell@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>; Lucey, John <Lucey.John.D@epa.gov>; Michalos, Maria <Michalos.Maria@epa.gov>; Millett, John <Millett.John@epa.gov>; Niebling, William <Niebling.William@epa.gov>; Noonan, Jenny <Noonan.Jenny@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Stevens, Katherine <stevens.katherine@epa.gov>; Thundiyil, Karen <Thundiyil.Karen@epa.gov>; Vohr, Jill <Vohr.Jill@epa.gov>  
**Subject:** OAR Comms Outlook

Hi all,

Attached is our latest Outlook for upcoming OAR actions. Please let us know if you have any questions!

Thanks,  
 Isabel

Isabel DeLuca  
 Deputy Communications Director  
 Office of Air and Radiation, US EPA  
 Phone: 202-343-9247

Appointment

---

**From:** Nishida, Jane [Nishida.Jane@epa.gov]  
**Sent:** 11/24/2021 8:15:36 PM  
**To:** Nishida, Jane [Nishida.Jane@epa.gov]; Freedhoff, Michal [Freedhoff.Michal@epa.gov]; Goffman, Joseph [Goffman.Joseph@epa.gov]; Waterhouse, Carlton [Waterhouse.Carlton@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Frey, Christopher [Frey.Christopher@epa.gov]; Cascio, Wayne [Cascio.Wayne@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Prieto, Jeffrey [Prieto.Jeffrey@epa.gov]; Hoffer, Melissa [Hoffer.Melissa@epa.gov]  
**CC:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]; Hoskinson, Carolyn [Hoskinson.Carolyn@epa.gov]; Almodovar, Paul [Almodovar.Paul@epa.gov]; Lowrey, Daniel [Lowrey.Daniel@epa.gov]; Kasman, Mark [kasman.mark@epa.gov]; Kovner, Karissa [Kovner.Karissa@epa.gov]; Keating, Terry [Keating.Terry@epa.gov]; Berns, Anne [Berns.Anne@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Goldberg, Ruby [Goldberg.Ruby@epa.gov]; Sims, JaniceHQ [Sims.JaniceHQ@epa.gov]; Civic, Melanne [Civic.Melanne@epa.gov]; Crossland, Andy [Crossland.Andy@epa.gov]; Ankrah, Rodges [Ankrah.Rodges@epa.gov]; Marzouk, Evonne [Marzouk.Evonne@epa.gov]; Vauter, Ben [Vauter.Ben@epa.gov]; Finman, Hodayah [Finman.Hodayah@epa.gov]  
**Subject:** AA Level Coordination Meeting on Minamata Convention on Mercury  
**Location:** Microsoft Teams Meeting  
**Start:** 1/6/2022 6:00:00 PM  
**End:** 1/6/2022 7:00:00 PM  
**Show Time As:** Busy

**Required Attendees:** Freedhoff, Michal; Goffman, Joseph; Waterhouse, Carlton; Breen, Barry; Frey, Christopher; Cascio, Wayne; Carbonell, Tomas; Prieto, Jeffrey; Hoffer, Melissa  
**Optional Attendees:** Arroyo, Victoria; Hoskinson, Carolyn; Almodovar, Paul; lowrey.daniel@epa.gov; Mark Kasman; Karissa Kovner; Keating, Terry; Berns, Anne; Hilosky, Nick; Brooks, Becky; Goldberg, Ruby; Sims, JaniceHQ; Civic, Melanne; Crossland, Andy; Rodges Ankrah; Evonne Marzouk; Vauter, Ben; Hodayah Finman

Meeting materials to follow. Contact Martin Dieu with questions.

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Message

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**From:** Goffman.Joseph@epa.gov [Goffman.Joseph@epa.gov]  
**Sent:** 9/16/2021 11:02:51 PM  
**To:** Arroyo, Victoria [Arroyo.Victoria@epa.gov]  
**CC:** Utech, Dan [Utech.Dan@epa.gov]  
**Subject:** Re: MATS near closure

Chris Hoagland told me this AM that CPO “wants to run a couple of traps” before the rule is released and that we’re looking at early next week pending the trap-running.

Sent from my iPhone

On Sep 16, 2021, at 6:39 PM, Arroyo, Victoria <Arroyo.Victoria@epa.gov> wrote:

Hi Joe and Dan – let me know if there’s something I should do on this timing question please. Thanks!  
Vicki

---

**From:** Schillo, Bruce <Schillo.Bruce@epa.gov>  
**Sent:** Thursday, September 16, 2021 6:36 PM  
**To:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Cc:** Curry, Bridgid <Curry.Bridgid@epa.gov>  
**Subject:** MATS near closure

OMB sent suggested revisions to the Cost Memo that they had discussed with OAR yesterday.

Vlad noted the following in his e-mail:

Provided you are okay with this suggested edit, we should be able to conclude our review rather quickly. I should also point out that I understand that there policy-level conversations taking place right now regarding the timing of roll-out so we could discuss whether there is a preference for exactly when OMB concludes its review. If, however, you have concerns with the text being copied in from the preamble, please let me know and we can discuss the path forward.

## Message

**From:** Carbonell, Tomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15EC2A6AD2934C669F6A675E7CF4961B-CARBONELL,]  
**Sent:** 10/20/2021 9:07:56 PM  
**To:** Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** RE: For Review: OIRA passback 2 of Reg Agenda & Reg Plan

## Ex. 5 Deliberative Process (DP)

Tomás

**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Wednesday, October 20, 2021 5:06 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** RE: For Review: OIRA passback 2 of Reg Agenda & Reg Plan

I'm not sure who the edit came from but my guess is us. I will propose the edit you suggest below. Thank you for your quick review.

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

**From:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Sent:** Wednesday, October 20, 2021 5:04 PM  
**To:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** RE: For Review: OIRA passback 2 of Reg Agenda & Reg Plan

## Ex. 5 Deliberative Process (DP)

**From:** Campbell, Ann <Campbell.Ann@epa.gov>  
**Sent:** Wednesday, October 20, 2021 4:48 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** For Review: OIRA passback 2 of Reg Agenda & Reg Plan

Tomas – before signing off on the latest iteration of comments to the reg plan I wanted to be sure you are comfortable with the removal of the language below. Thanks!

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Ann (Campbell) Ferrio  
Chief of Staff  
EPA/Office of Air and Radiation  
Office: 202 566 1370

**From:** Olson, Heather <[Olson.Heather@epa.gov](mailto:Olson.Heather@epa.gov)>

**Sent:** Wednesday, October 20, 2021 3:33 PM

**To:** Campbell, Ann <[Campbell.Ann@epa.gov](mailto:Campbell.Ann@epa.gov)>

**Cc:** Lubetsky, Jonathan <[Lubetsky.Jonathan@epa.gov](mailto:Lubetsky.Jonathan@epa.gov)>; Hooper, Daniel <[hooper.daniel@epa.gov](mailto:hooper.daniel@epa.gov)>; Farrar, Wanda <[farrar.wanda@epa.gov](mailto:farrar.wanda@epa.gov)>; Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>

**Subject:** For Review: OIRA passback 2 of Reg Agenda & Reg Plan

Good afternoon Ann,

Find below the reg plan and reg agenda that we will be submitting back to OP today. It looks like we didn't have too many substantive changes so I'm hoping this is more of an FYI, but let me know if there are any issues that jump out at you.

Below are the changes that I am seeing that we made this round:

In the Reg Plan:  [Draft Redline EPA Plan - follow-up comments.docx](#)

# Ex. 5 Deliberative Process (DP)

In the Reg Agenda:  [Draft Redline EPA Agenda Entries - follow-up comments.docx](#)

# Ex. 5 Deliberative Process (DP)

Please let me know if you have any questions.

Kind regards,  
Heather

---

**From:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>  
**Subject:** OIRA passback 2 of Reg Agenda & Reg Plan  
**Importance:** High

Greetings,

Listed below are what I believe to be all of OIRA's new edits in the attached passback 2 of EPA's plan and agenda. By **Wed, Oct. 20**, please respond to these edits for each program, and ONLY SHOWSTOPPER additional edits. Please denote your edits or responses with highlighted "EPA new" or something to assist me in recognizing your program's 2<sup>nd</sup> round edits.

## Ex. 5 Deliberative Process (DP)

OAR:

## Ex. 5 Deliberative Process (DP)

## **Ex. 5 Deliberative Process (DP)**

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

Message

---

**From:** Carbonell, Tomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15EC2A6AD2934C669F6A675E7CF4961B-CARBONELL,]  
**Sent:** 10/12/2021 6:30:23 PM  
**To:** Cassidy, Alison [Cassady.Alison@epa.gov]  
**Subject:** RE: Can you share this PowerPoint w me?  
**Attachments:** Administrator briefing 10-12.pptx

Hi Alison, sure thing - here it is

-----Original Message-----

**From:** Cassidy, Alison <Cassady.Alison@epa.gov>  
**Sent:** Tuesday, October 12, 2021 2:28 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Subject:** Can you share this PowerPoint w me?

Alison L. Cassady

Ex. 6 Personal Privacy (PP)

## Message

**From:** Carbonell, Tomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15EC2A6AD2934C669F6A675E7CF4961B-CARBONELL,]  
**Sent:** 12/9/2021 1:19:57 AM  
**To:** DeLuca, Isabel [DeLuca.Isabel@epa.gov]  
**CC:** Kim, Eunjung [Kim.Eun@epa.gov]; Kabanda, Thierry [Kabanda.Thierry@epa.gov]; Millett, John [Millett.John@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** Re: Environmental Justice Meeting Request  
**Attachments:** 12.9.21 Vinyl Institute Carbonell.docx

Thanks Isabel. What time is this now scheduled to take place?

Sent from my iPhone

On Dec 8, 2021, at 7:05 PM, DeLuca, Isabel <DeLuca.Isabel@epa.gov> wrote:

Hi Tomás,  
 Since the Vinyl institute has asked to hear about EPA's climate work, attached is a compilation of our key talkers on recent OAR climate activities. It's probably just over 10 minutes, so feel free to cut. I've asked OAQPS if they can provide any background on OAR regs that affect this group, in case you get questions during Q&A, but given that this came up quickly, I may not get anything from them until tomorrow morning.

Thanks,  
 Isabel

---

**From:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Sent:** Wednesday, December 8, 2021 12:32 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>  
**Cc:** DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Millett, John <Millett.John@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** FW: Environmental Justice Meeting Request

Hey Tomas,  
 I wanted to follow up with you on the invitation from the Vinyl Institute for a meet and greet meeting. Below is the proposed agenda. With OW and OLEM speakers joining as well, you will only need to participate for 30 minutes with you only needing to speak for ~10 minutes. Of the topics they have asked to cover, the only OAR item is carbon reduction. I know Isabel has already started to assemble some TPs.  
 We are working on finalizing a time for this meeting and have offered them 3:30-4 p.m. or 4:30-5 p.m. tomorrow and will let you know once that's confirmed.  
 Thierry – would you mind putting in holds for Tomas for the 2 times blocks for now? I will follow up on what time block we end up at.

Please let me know if you have any questions.

Thanks!

Eunjung Kim  
 Special Assistant  
 Office of Air and Radiation

Environmental Protection Agency  
(202) 815-7252

---

**From:** Joseph, Dominique <[Joseph.Dominique@epa.gov](mailto:Joseph.Dominique@epa.gov)>  
**Sent:** Wednesday, December 8, 2021 11:52 AM  
**To:** Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>  
**Cc:** Levy, Maxwell <[Levy.Maxwell@epa.gov](mailto:Levy.Maxwell@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>; DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>  
**Subject:** RE: Environmental Justice Meeting Request

Eunjung,

We're still hoping to include a senior staff member from OW and OLEM to discuss water infrastructure and sustainability/recycling, respectively, but I spoke with the organizer and if Tomas is only able to attend and speak to carbon reduction, that's fine too. The meeting format is informal (no formal remarks are required) and I don't anticipate it will be any longer than 1 hour (with 3 EPA participants; 30 minutes with just Tomas).

I've noted Tomas' availability of 3:30-4 p.m. or 4:30-5 p.m. tomorrow and shared that with OW and OLEM for consideration.

Here's a draft agenda should we have all 3 EPA participants:

- Intro of Executive Committee members – 5 mins
- Brief overview of the committee and the objectives of the meeting – 10 mins
- EPA introductions and brief overview of EPA priorities/recent actions regarding carbon reduction, water infrastructure, and sustainability/recycling; discussion with committee members – 30-40 mins **\*we could probably have Tomas brief first depending on the time in case he needs to hop off\***
- Conclusion – 5 mins

Please let me know if you have any additional questions. As soon as I hear back from OW and OLEM on their participation, I'll let you know.

Thanks,

Dominique

*Dominique Joseph (she/her/hers)*  
Senior Communications Advisor  
U.S. Environmental Protection Agency  
202-805-3635 (cell)  
202-564-1767 (office)  
[joseph.dominique@epa.gov](mailto:joseph.dominique@epa.gov)



## Message

**From:** Carbonell, Tomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15EC2A6AD2934C669F6A675E7CF4961B-CARBONELL,]  
**Sent:** 9/27/2021 3:50:43 PM  
**To:** Alejandra Nunez (Nunez.Alejandra@epa.gov) [Nunez.Alejandra@epa.gov]  
**Subject:** FW: Program and Regional Climate Adaptation Implementation Plans  
**Attachments:** Draft Instructions for Preparing Implementation Plans - Sept 21, 2021.docx; EPA Climate Adaptation Plan - With Watermark - PDF Version.pdf

Hi Ale, wanted to make sure you saw this note from Vicki last week about the adaptation “implementation planning” process – also says that the action plan we saw last month is supposed to be released imminently

---

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>  
**Sent:** Tuesday, September 21, 2021 4:57 PM  
**To:** Leadership\_Deputy\_Regional\_Administrators <Leadership\_Deputy\_Regional\_Administrators@epa.gov>; Leadership\_Deputy\_Assistant\_Administrators <Leadership\_Deputy\_Assistant\_Administrators@epa.gov>  
**Cc:** Wooden-Aguilar, Helena <Wooden-Aguilar.Helena@epa.gov>; Scheraga, Joel <Scheraga.Joel@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>  
**Subject:** Program and Regional Climate Adaptation Implementation Plans

Dear Colleagues,

I am writing to follow up on my mention at yesterday’s Senior Staff meeting and our July 22 discussion about the next steps EPA will be taking on climate change adaptation.

As we discussed in July, one key action the agency has committed to is the development of updated Climate Change Adaptation Implementation Plans by all EPA Program and Regional Offices by the end of FY22. This commitment reflects a directive from Administrator Regan in his Policy Statement on Climate Change Adaptation and is captured in both the 2021 Climate Adaptation Action Plan and Objective 1.2 of the EPA Strategic Plan.

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Vicki Arroyo, Associate Administrator, Office of Policy

Helena Wooden-Aguilar, Deputy Administrator, Office of Policy

## Cross-EPA Work Group on Climate Adaptation

September 21, 2021

**BOLD** = primary contacts

| Office                                                                    | Member                                                                                                                                                                                        |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Chair: Office of Policy</b>                                            | <b>Joel Scheraga</b>                                                                                                                                                                          |
| <b>Office of the Administrator (AO)</b>                                   | <b>Alva Daniels</b><br>Venus Welch-White                                                                                                                                                      |
| <b>Office of Air and Radiation (OAR):</b>                                 | <b>Lauren Gentile</b><br>Jeremy Martinich<br>Michael Kolian                                                                                                                                   |
| <b>Office of the Chief Financial Officer (OCFO):</b>                      | <b>Wyatt Boyd</b><br>Aaron Kocian<br>Linda Hicklin<br>Judy Lieberman<br>Michelle Mandolia                                                                                                     |
| <b>Office of Children's Health Protection (OCHP)</b>                      | <b>Martha Berger</b>                                                                                                                                                                          |
| <b>Office of the Congressional and Intergovernmental Relations (OCIR)</b> | <b>Jack Bowles</b>                                                                                                                                                                            |
| <b>Office of Chemical Safety and Pollution Prevention (OCSPP)</b>         | <b>Jeff Dawson</b> (Sr. Science Advisor to AA)<br>Sara Kemme<br>Anna Lowit                                                                                                                    |
| <b>Office of Enforcement and Compliance Assurance (OECA)</b>              | <b>Caroline Emmerson</b><br>Elisabeth Freed (Office of Site Remediation Enforcement)<br>Kristin Buterbaugh<br>Gary Jones<br>Tessa Berman<br>Justin Wright<br>Nathaniel Folkemer<br>Amy Porter |
| <b>Office of General Council (OGC)</b>                                    | <b>Eleanor Garretson</b><br>Daniel Schramm<br>Tom Marshall                                                                                                                                    |
| <b>Office of Homeland Security (OHS)</b>                                  | <b>John Ferris</b>                                                                                                                                                                            |

| Office                                            | Member                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Office of International and Tribal Affairs</b> | <b>Felicia Wright (Tribal Issues)</b><br><b>Anthony Socci (International Issues)</b><br>Luke Jones                                                                                                                                                                                                                             |
| <b>Office of Land and Emergency Management</b>    | <b>Ruby Goldberg (Special Assistant)</b><br><b>Ann Carroll</b> (Brownfields & Land Revitalization)<br><b>Carlos Pachon</b> (Superfund)<br>Meaghan Bresnahan<br>Lora Strine<br>Aaron Bell<br>Kathleen Raffaele<br>Ifeyinwa Davis                                                                                                |
| <b>Office of Mission Support (OMS)</b>            | <b>Dan Amon</b><br>Denise Clarke<br>Jennifer Cranford<br>RobertA Gray                                                                                                                                                                                                                                                          |
| <b>Office of Policy (OP)</b>                      | <b>Ken Munis</b> (NCEE)<br>Vicky Salazar<br>Brent Efron (IO)<br>Surabhi Shah (OCR)<br>Megan Susman (OCR)<br>Abby Hall (OCR)<br>Victoria Robinson (OEJ)<br>Jasmin Muriel (EOJ)<br>Rebecca Huff (OEJ)<br>Theresa Goedeke (OEJ/NOAA)<br>Christopher Yesman (OFA)<br>Susan Paret (OFA)<br>Elise Owen (IO)<br>Tasneem Islam (ORISE) |
| <b>Office of Public Affairs</b>                   | <b>Enesta Jones</b>                                                                                                                                                                                                                                                                                                            |
| <b>Office of Research and Development (ORD)</b>   | <b>Andy Miller</b><br>Susan Julius<br>Sarah Mazur<br>Pai-Yei Whung<br>Megan Fleming                                                                                                                                                                                                                                            |
| <b>Office of Water (OW)</b>                       | <b>Sandra Connors</b><br>Mindy Eisenberg<br>Stephanie Santell                                                                                                                                                                                                                                                                  |
| <b>Lead Region Coordinator through FY21</b>       | <b>Paul Amato (R9)</b>                                                                                                                                                                                                                                                                                                         |
| <b>Lead Region Coordinator FY22-23</b>            | <b>Margo Young (R10)</b>                                                                                                                                                                                                                                                                                                       |
| <b>Region 1:</b>                                  | <b>Cynthia Greene</b><br><b>Emily Bolger</b><br>Charlotte Gray                                                                                                                                                                                                                                                                 |
| <b>Region 2</b>                                   | <b>Joseph Siegel</b><br><b>Juan Gutierrez</b>                                                                                                                                                                                                                                                                                  |

| Office           | Member                                                                                                                                                                                                                                                                                                                                                     |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Region 3</b>  | <b>Matthew Konfirst</b>                                                                                                                                                                                                                                                                                                                                    |
| <b>Region 4</b>  | <b>Daphne Wilson (Lead for EJ issues)</b><br><b>Katy Pugh (Lead for tribal issues)</b><br><b>Robert Burns (Lead for Sea Level Rise)</b><br>Erica Jones (Backup for EJ issues)<br>Larry Lamberth (Backup for EJ issues)<br>Eve Zimmerman (Backup for tribal issues)<br>Ken Mitchell (Backup for Sea Level Rise)<br>Molly Martin (Backup for Sea Level Rise) |
| <b>Region 5</b>  | <b>Kate Balasa</b><br>Melissa Hulting                                                                                                                                                                                                                                                                                                                      |
| <b>Region 6</b>  | <b>Claudia Hosch</b><br>Salvador Gandara<br>Patricia A. Taylor                                                                                                                                                                                                                                                                                             |
| <b>Region 7</b>  | <b>Katherine Howard</b> (Lead and Sustainability Advisor in RA's Office)                                                                                                                                                                                                                                                                                   |
| <b>Region 8</b>  | <b>Kerri Fiedler</b><br><b>Rebecca Geyer</b>                                                                                                                                                                                                                                                                                                               |
| <b>Region 9</b>  | <b>Suzanne Marr</b><br>Ray Saracino<br>Dana Mayfield                                                                                                                                                                                                                                                                                                       |
| <b>Region 10</b> | <b>Tim Hamlin</b><br>Michelle Mullin<br>Karl Pepple<br>Sarah Frederick<br>Michelle Davis<br>Jose Garcia (intern)                                                                                                                                                                                                                                           |

Appointment

---

**From:** Carbonell, Tomas [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=15ec2a6ad2934c669f6a675e7cf4961b-Carbonell,]  
**Sent:** 1/3/2022 3:30:21 PM  
**To:** Nishida, Jane [Nishida.Jane@epa.gov]  
**Subject:** Accepted: AA Level Coordination Meeting on Minamata Convention on Mercury  
**Location:** Microsoft Teams Meeting  
**Start:** 1/6/2022 6:00:00 PM  
**End:** 1/6/2022 7:00:00 PM  
**Show Time As:** Busy

## Message

**From:** Carbonell, Tomas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15EC2A6AD2934C669F6A675E7CF4961B-CARBONELL,]  
**Sent:** 1/14/2022 2:56:35 PM  
**To:** Franklin, Pamela [Franklin.Pamela@epa.gov]  
**CC:** Grundler, Christopher [grundler.christopher@epa.gov]; Gunning, Paul [Gunning.Paul@epa.gov]; Ferland, Henry [Ferland.Henry@epa.gov]  
**Subject:** RE: OITA forging connections with USAID including on methane

Hi Pamela, thank you! The most active folks from USAID when it comes to the methane small group are Andrew Bisson, Christina Wong, Dorian Mead – it's great that Karl identified the GMP as a priority and expressed interest in further collaboration on this. Have a great long weekend!

Tomás

**From:** Franklin, Pamela <Franklin.Pamela@epa.gov>  
**Sent:** Friday, January 14, 2022 8:26 AM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>  
**Cc:** Grundler, Christopher <grundler.christopher@epa.gov>; Gunning, Paul <Gunning.Paul@epa.gov>; Ferland, Henry <Ferland.Henry@epa.gov>  
**Subject:** OITA forging connections with USAID including on methane

Dear Tomas,

For your awareness, Mark Kasman reached out to me late yesterday afternoon. Apparently Jane was meeting with her counterpart in USAID and they raised the issues that they thought that they wanted to cooperate with the EPA on, as well as items that they already were cooperating on. They mentioned that they (USAID)

**Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Looping in Henry FYR.

Thanks,  
Pamela

**From:** Kasman, Mark <Kasman.Mark@epa.gov>  
**Sent:** Thursday, January 13, 2022 4:40 PM  
**To:** Nishida, Jane <Nishida.Jane@epa.gov>; Karl Fickenscher <kfickenscher@usaid.gov>  
**Cc:** Monica Bansal <mbansal@usaid.gov>; bbray <bbray@usaid.gov>; Ticora Jones <ticjones@usaid.gov>; Sims, JaniceHQ <Sims.JaniceHQ@epa.gov>; Horan, Andrew <Horan.Andrew@epa.gov>; Vauter, Ben <Vauter.Ben@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Franklin, Pamela <Franklin.Pamela@epa.gov>; Hill-Macon, Cam <Hill-Macon.Cam@epa.gov>; Lee, Daniel <lee.daniel@epa.gov>; Almodovar, Paul <Almodovar.Paul@epa.gov>  
**Subject:** RE: USAID follow-up on our call this morning.

Karl,

We are looking forward to following up with Monica, Brandon, Ticora, and you on the issues we discussed yesterday, as well as a potential future joint mission between Administrators Regan and Power.

As promised, below are EPA point of contacts for each of the topics raised.

## **Ex. 5 Deliberative Process (DP)**

We look forward to engaging over the coming days so we can report back to you and Jane on our progress in a timely fashion.

Best regards, Mark

Mark S. Kasman  
Director  
Office of International Affairs  
Office of International and Tribal Affairs  
U.S. Environmental Protection Agency  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Tel: (202)564-2024

---

**From:** Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>  
**Sent:** Thursday, January 13, 2022 9:50 AM  
**To:** Karl Fickenscher <[kfickenscher@usaid.gov](mailto:kfickenscher@usaid.gov)>  
**Cc:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Monica Bansal <[mbansal@usaid.gov](mailto:mbansal@usaid.gov)>; bbray <[bbray@usaid.gov](mailto:bbray@usaid.gov)>; Ticora Jones <[ticjones@usaid.gov](mailto:ticjones@usaid.gov)>  
**Subject:** RE: USAID follow-up on our call this morning.

Karl,

## Ex. 5 Deliberative Process (DP)

Best regards,

Jane

**Jane Nishida**  
**Assistant Administrator**  
**Office for International and Tribal Affairs**  
**US Environmental Protection Agency**

---

**From:** Karl Fickenscher <[kfickenscher@usaid.gov](mailto:kfickenscher@usaid.gov)>  
**Sent:** Thursday, January 13, 2022 8:00 AM  
**To:** Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>  
**Cc:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Monica Bansal <[mbansal@usaid.gov](mailto:mbansal@usaid.gov)>; bbray <[bbray@usaid.gov](mailto:bbray@usaid.gov)>; Ticora Jones <[ticjones@usaid.gov](mailto:ticjones@usaid.gov)>  
**Subject:** USAID follow-up on our call this morning.

Dear Jane,



# Ex. 5 Deliberative Process (DP)

Very best regards,

**Karl Fickensch**<sup>(he/him)</sup>  
USAID (Acting) Assistant Administrator,  
**Bureau for Development, Democracy, and Innovation (DDI)**  
(Office) +1-202-712-1765 | (Mobile) +1-202-251-0688 | [kfickensch@usaid.gov](mailto:kfickensch@usaid.gov)

Message

---

**From:** Macedonia, Jennifer [Macedonia.Jennifer@epa.gov]  
**Sent:** 9/28/2021 2:23:37 AM  
**To:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]  
**Subject:** Fwd: DOE report on hydrogen  
**Attachments:** IPHE H2PA TF Analysis Methodology for limited distribution DRAFT 9 27 21.pdf

The Draft DOE report that came up on the call today.

Begin forwarded message:

**From:** "Satyapal, Sunita" <sunita.satyapal@ee.doe.gov>  
**Date:** September 27, 2021 at 9:28:51 PM EDT  
**To:** "Macedonia, Jennifer" <Macedonia.Jennifer@epa.gov>  
**Subject:** RE: DOE report on hydrogen

Here is the draft but please note it is still a DRAFT and we have not yet reviewed thoroughly or cleared it.

There were probably 8 or 10 different EPA people my staff have been talking to re. hydrogen and I will have to get all their names tomorrow.

We can also include mention of EPA if you would like to have your folks review. ANL and the GREET experts were the main technical people involved. There are multiple countries also reviewing and editing simultaneously.

---

**From:** Macedonia, Jennifer <Macedonia.Jennifer@epa.gov>  
**Sent:** Monday, September 27, 2021 9:18 PM  
**To:** Satyapal, Sunita <sunita.satyapal@ee.doe.gov>  
**Subject:** [EXTERNAL] Re: DOE report on hydrogen

Yes, thank you. Do you mind if I ask who you discussed with at EPA?

Thanks,  
Jennifer

On Sep 27, 2021, at 7:57 PM, Satyapal, Sunita <[sunita.satyapal@ee.doe.gov](mailto:sunita.satyapal@ee.doe.gov)> wrote:

Hi Jennifer

Will send but note is is just H2 production step and still draft.

We had a couple of meetings with EPA technical meetings over the last few months.  
I would also be happy to discuss separately with you.

Sunita

---

**From:** "Macedonia, Jennifer" <Macedonia.Jennifer@epa.gov>  
**Sent:** Sep 27, 2021 7:06 PM  
**To:** "Satyapal, Sunita" <sunita.satyapal@ee.doe.gov>  
**Subject:** [EXTERNAL] DOE report on hydrogen

Sunita – would you please send the report you mentioned today on hydrogen?

Thank you,  
Jennifer

---

Jennifer Macedonia (she/her)  
Deputy Associate Administrator for Policy  
U.S. Environmental Protection Agency  
202-564-1917

\*\*\*\*\*

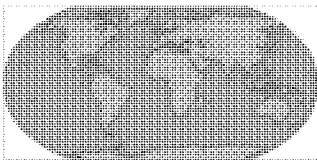
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Use caution if this message contains attachments, links or requests for information.

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Message

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**From:** Ferland, Henry [Ferland.Henry@epa.gov]  
**Sent:** 10/18/2021 2:52:08 PM  
**To:** Kasman, Mark [Kasman.Mark@epa.gov]  
**CC:** Shoaff, John [Shoaff.John@epa.gov]; Huber, Patrick [Huber.Patrick@epa.gov]; Almodovar, Lisa [Almodovar.Lisa@epa.gov]; Finman, Hodayah [Finman.Hodayah@epa.gov]; Hill-Macon, Cam [Hill-Macon.Cam@epa.gov]; Ferrante, Joe [Ferrante.Joe@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Nunez, Alejandra [Nunez.Alejandra@epa.gov]; Buckley, Katherine [Buckley.Katherine@epa.gov]; Graff, Michelle [graff.michelle@epa.gov]; Lau, Patrick [Lau.Patrick@epa.gov]; Hockstad, Leif [Hockstad.Leif@epa.gov]; Schmeltz, Rachel [Schmeltz.Rachel@epa.gov]  
**Subject:** RE: OAR Talking Points for Cop26 Bilateral Meetings  
**Attachments:** Clean Copy - EPA Climate Change Talking Points OAR for COP26 Bilats-10-14-21.docx

Hey Mark:

Please find attached a clean copy of all the talking points (and background for talkers) to use for any/all AO bilats at the COP26. This reflects input from all OAR offices and has been shared to our IO too. We may have a tiny tweak or two but think this is pretty much good to use at this point.

Let me know if folks have any questions.

Best,

H

**HENRY FERLAND** | *INTERNATIONAL COORDINATOR*  
 U.S. EPA OFFICE OF AIR & RADIATION

Ferland.Henry@epa.gov | 1-202-343-9330

---

**From:** Kasman, Mark <Kasman.Mark@epa.gov>  
**Sent:** Tuesday, October 12, 2021 4:59 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Nunez, Alejandra <Nunez.Alejandra@epa.gov>  
**Cc:** Shoaff, John <Shoaff.John@epa.gov>; Ferland, Henry <Ferland.Henry@epa.gov>; Huber, Patrick <Huber.Patrick@epa.gov>; Almodovar, Lisa <Almodovar.Lisa@epa.gov>; Finman, Hodayah <Finman.Hodayah@epa.gov>; Hill-Macon, Cam <Hill-Macon.Cam@epa.gov>; Ferrante, Joe <Ferrante.Joe@epa.gov>  
**Subject:** OAR Talking Points for Cop26 Bilateral Meetings

Tomas/Ale,

OIA is in the process of preparing bilateral briefing papers for the Administrator at CO26. We will want to have an OAR set of talking points in each of the bilaterals which I imagine would touch on out: **Ex. 5 Deliberative Process (DP)**  
**Ex. 5 Deliberative Process (DP)** In addition, SPEC would like us to focus on transparency in reporting for certain

**Ex. 5 Deliberative Process (DP)**

FYI, here are the countries that are currently being looked at for bilateral meetings. The second set of countries are short briefs in case he bumps into the Ministers along the way.

We are hoping to get the first set of briefing papers done by next Tuesday.

**Ex. 5 Deliberative Process (DP)**

**Ex. 5 Deliberative Process (DP)**

Thank you very much.

Mark

**1<sup>st</sup> set- full bilateral paper**

**Ex. 5 Deliberative Process (DP)**

**2<sup>nd</sup> mini bilateral brief - If you run into**

**Ex. 5 Deliberative Process (DP)**

Mark S. Kasman  
Director

Office of International Affairs  
Office of International and Tribal Affairs  
U.S. Environmental Protection Agency  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460  
Tel: (202)564-2024

## Message

**From:** Hoffer, Melissa [Hoffer.Melissa@epa.gov]  
**Sent:** 1/7/2022 12:04:08 AM  
**To:** Garfinkle, Stacey [garfinkle.stacey@epa.gov]  
**CC:** Srinivasan, Gautam [Srinivasan.Gautam@epa.gov]; Marks, Matthew [Marks.Matthew@epa.gov]; Greenglass, Nora [Greenglass.Nora@epa.gov]; Hogan, Stephanie [Hogan.Stephanie@epa.gov]; Li, Ryland (Shengzhi) [Li.Ryland@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**Subject:** RE: WY Proposed SIP Reassessment Denial - Review Requested by COB Today  
**Attachments:** Jim Bridger\_PROPOSED RULE\_disapproval MAH.docx

Thanks, all. The draft looks terrific. I attach a very few comments, mostly directed to include some additional summary of our action in Section I, particularly since this will garner much interest from press and public.

Melissa

---

**From:** Garfinkle, Stacey <garfinkle.stacey@epa.gov>  
**Sent:** Thursday, January 6, 2022 3:43 PM  
**To:** Hoffer, Melissa <Hoffer.Melissa@epa.gov>  
**Cc:** Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Greenglass, Nora <Greenglass.Nora@epa.gov>; Hogan, Stephanie <Hogan.Stephanie@epa.gov>; Li, Ryland (Shengzhi) <Li.Ryland@epa.gov>  
**Subject:** RE: WY Proposed SIP Reassessment Denial - Review Requested by COB Today

Hi Melissa,

As a follow up, Region 8 let us know that the draft has completed concurrence review in the region, and is ready to go to OP, pending your review. If we don't receive comments from you by this evening, we'll assume it's okay for Region 8 to move the notice forward, so, please let us know if you have any comments, questions, or concerns. Thanks!

Regards,

Stacey

---

**From:** Garfinkle, Stacey  
**Sent:** Thursday, January 6, 2022 8:09 AM  
**To:** Hoffer, Melissa <Hoffer.Melissa@epa.gov>  
**Cc:** Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Greenglass, Nora <Greenglass.Nora@epa.gov>; Hogan, Stephanie <Hogan.Stephanie@epa.gov>; Li, Ryland (Shengzhi) <Li.Ryland@epa.gov>  
**Subject:** WY Proposed SIP Reassessment Denial - Review Requested by COB Today  
**Importance:** High

Hi Melissa,

Attached, please find the draft notice of proposed disapproval for the Jim Bridger SIP reassessment. Given the timing constraints, Region 8 is requesting that review be completed by COB today, so that they can get the notice to OP tomorrow. If you have any questions, please let us know. Thanks!

Regards,

Stacey

---

**From:** Hoffer, Melissa <[Hoffer.Melissa@epa.gov](mailto:Hoffer.Melissa@epa.gov)>  
**Sent:** Wednesday, January 5, 2022 11:25 PM  
**To:** Garfinkle, Stacey <[garfinkle.stacey@epa.gov](mailto:garfinkle.stacey@epa.gov)>  
**Cc:** Srinivasan, Gautam <[Srinivasan.Gautam@epa.gov](mailto:Srinivasan.Gautam@epa.gov)>; Marks, Matthew <[Marks.Matthew@epa.gov](mailto:Marks.Matthew@epa.gov)>; Greenglass, Nora <[Greenglass.Nora@epa.gov](mailto:Greenglass.Nora@epa.gov)>; Hogan, Stephanie <[Hogan.Stephanie@epa.gov](mailto:Hogan.Stephanie@epa.gov)>; Li, Ryland (Shengzhi) <[Li.Ryland@epa.gov](mailto:Li.Ryland@epa.gov)>  
**Subject:** Re: WY Proposed SIP Reassessment Denial Coming Soon

Thank you. I let Vicki know.

Sent from my iPhone

On Jan 5, 2022, at 1:47 PM, Garfinkle, Stacey <[garfinkle.stacey@epa.gov](mailto:garfinkle.stacey@epa.gov)> wrote:

Hi Melissa,

It sounds like Region 8 is planning on getting a draft to OP this Friday, 1/7. We're still waiting on the latest clean draft to share with you, so I expect the timeframe for review will be extremely limited. We're checking with Region 8 on when we can expect to receive the clean version, and will send it along as soon as we receive it.

Regards,

Stacey

---

**From:** Hoffer, Melissa <[Hoffer.Melissa@epa.gov](mailto:Hoffer.Melissa@epa.gov)>  
**Sent:** Wednesday, January 5, 2022 9:49 AM  
**To:** Garfinkle, Stacey <[garfinkle.stacey@epa.gov](mailto:garfinkle.stacey@epa.gov)>  
**Cc:** Srinivasan, Gautam <[Srinivasan.Gautam@epa.gov](mailto:Srinivasan.Gautam@epa.gov)>; Marks, Matthew <[Marks.Matthew@epa.gov](mailto:Marks.Matthew@epa.gov)>  
**Subject:** FW: WY Proposed SIP Reassessment Denial Coming Soon

FYI—we should let OP know today when the Region expects to have the draft to OP. Let me know—thanks.

---

**From:** Hoffer, Melissa  
**Sent:** Wednesday, January 5, 2022 9:47 AM  
**To:** Arroyo, Victoria <[Arroyo.Victoria@epa.gov](mailto:Arroyo.Victoria@epa.gov)>  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** RE: WY Proposed SIP Reassessment Denial Coming Soon

Excellent, thanks Vicki. We are trying to get that timing from the Region and will let you know asap.

---

**From:** Arroyo, Victoria <[Arroyo.Victoria@epa.gov](mailto:Arroyo.Victoria@epa.gov)>  
**Sent:** Wednesday, January 5, 2022 6:30 AM  
**To:** Hoffer, Melissa <[Hoffer.Melissa@epa.gov](mailto:Hoffer.Melissa@epa.gov)>  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** RE: WY Proposed SIP Reassessment Denial Coming Soon

# Ex. 5 Attorney Client (AC)



Vicki

---

**From:** Hoffer, Melissa <[Hoffer.Melissa@epa.gov](mailto:Hoffer.Melissa@epa.gov)>  
**Sent:** Tuesday, January 4, 2022 8:49 PM  
**To:** Arroyo, Victoria <[Arroyo.Victoria@epa.gov](mailto:Arroyo.Victoria@epa.gov)>  
**Cc:** Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Carbonell, Tomas <[Carbonell.Tomas@epa.gov](mailto:Carbonell.Tomas@epa.gov)>  
**Subject:** WY Proposed SIP Reassessment Denial Coming Soon

Hi Vicki,

# Ex. 5 Attorney Client (AC)

Thanks,  
Melissa

Melissa A. Hoffer  
Principal Deputy General Counsel  
U.S. Environmental Protection Agency  
Office of General Counsel  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
T: 202.440.1671  
E: [hoffer.melissa@epa.gov](mailto:hoffer.melissa@epa.gov)

Message

---

**From:** Enobakhare, Rosemary [Enobakhare.Rosemary@epa.gov]  
**Sent:** 1/21/2022 4:30:41 PM  
**To:** Profeta, Timothy [Profeta.Timothy@epa.gov]; Carbonell, Tomas [Carbonell.Tomas@epa.gov]  
**CC:** Cortez Russell, Loni [Russell.Loni@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]  
**Subject:** FEEDBACK NEEDED: Updated Power Sector Engagement Plan  
**Attachments:** Power Sector Engagement 1\_20\_22 \_OPEEE Final.docx

Hey there,

Sorry for the delay on this plan. See the updated engagement plan based on our discussion from last week. Can you all take a look at this document and let me know if you have any comments or concerns. I am going to send this over to Dan today at 1pm for his meeting with Gina and Ali later today. Feel free to give me a call if you have anything you want to talk through.

Also, I am adding a reoccurring meeting to the Calender for us to touch base regularly re power sector engagement.

Thanks!  
Rosemary

Rosemary Enobakhare  
Associate Administrator  
Office of Public Engagement and Environmental Education  
U.S. EPA Office of the Administrator  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460  
Cell: 202.573.4614

## Message

**From:** Profeta, Timothy [Profeta.Timothy@epa.gov]  
**Sent:** 2/1/2022 9:01:29 PM  
**To:** Enobakhare, Rosemary [Enobakhare.Rosemary@epa.gov]  
**CC:** Carbonell, Tomas [Carbonell.Tomas@epa.gov]; Katims, Casey [Katims.Casey@epa.gov]  
**Subject:** RE: NARUC Winter Policy Summit in DC February 14-15

of course. Shall I just provide an introductory email?

-----Original Message-----

**From:** Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>  
**Sent:** Tuesday, February 1, 2022 3:50 PM  
**To:** Profeta, Timothy <Profeta.Timothy@epa.gov>  
**Cc:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>  
**Subject:** RE: NARUC Winter Policy Summit in DC February 14-15

Tim, Can you loop me in with Greg.

-----Original Message-----

**From:** Profeta, Timothy <Profeta.Timothy@epa.gov>  
**Sent:** Monday, January 24, 2022 2:39 PM  
**To:** Enobakhare, Rosemary <Enobakhare.Rosemary@epa.gov>  
**Cc:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Katims, Casey <Katims.Casey@epa.gov>  
**Subject:** FW: NARUC Winter Policy Summit in DC February 14-15

Rosemary -

Unfortunately, this letter came across before I was able to reach back out to NARUC. Since the request was now formalized in a letter, is it appropriate for the Administrator's Office to reply? But I am happy to tackle any work that needs to get done -- not trying to expand the ask of you and your team.

Let me know,

Tim

-----Original Message-----

**From:** Greg White <gwhite@naruc.org>  
**Sent:** Monday, January 24, 2022 2:35 PM  
**To:** Profeta, Timothy <Profeta.Timothy@epa.gov>  
**Subject:** RE: NARUC Winter Policy Summit in DC February 14-15

Hi Tim,

Attached is a formal letter of invitation to Administrator Regan to provide a general session address to kick-off NARUC's 2022 Winter Policy Summit on Monday, February 14 at 10 am. Can you help direct this letter to the Administrator's office? If helpful, please let me know to whom I should specifically direct the invitation.

As noted below, if the Monday morning time slot won't work, we have an alternative opportunity for Tuesday afternoon.

Your help and guidance is very much appreciated. Please let me know if you have any questions for me or our team on this.

Thank you.

Greg

Greg R. White, Executive Director  
 National Association of Regulatory Utility Commissioners  
 1101 Vermont Ave, NW, Suite 200  
 Washington, DC 20005  
 Tel: 202-898-2208  
 Mobile: 202-441-0529

Email: gwhite@naruc.org

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.naruc.org%2F&data=04%7C01%7CProfeta.Timothy%40epa.gov%7C4cbc6724128547af79e008d9df70b205%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637786497531977341%7CUnknown%7CTWfpbGZsb3d8eyJWIjoIMC4wLjAwMDAiLCJQIjoIV2lUmZiIlCJBTiI6Ik1hawwiLCJXVCi6Mn0%3D%7C2000&sdata=WQEnr8F1pJD0CfPccJTww%2BXfyT76kGITu2MZR1mZQy1A%3D&reserved=0>

-----Original Message-----

**From:** Greg White  
**Sent:** Friday, January 21, 2022 9:59 PM  
**To:** Profeta, Timothy <Profeta.Timothy@epa.gov>  
**Subject:** NARUC Winter Policy Summit in DC February 14-15  
**Importance:** High

Hi Tim,  
I talked with our team about inviting Administrator Regan to speak at the NARUC Winter Policy Summit, and they would like us to just pass go and proceed with an invitation to Administrator Regan to speak at our opening general session on Monday, February 14 at 10 am. In the alternative, we would also offer a Tuesday, February 15 general session stage at 3 pm. He could have up to 20 minutes with either time. We can provide a formal invitation, but I wanted to let you know asap, so perhaps you could pass it along in advance.

Let me know if you have any questions or need anything else in addition.

Thanks!

Greg  
NARUC  
202-441-0529 mobile

-----Original Message-----

From: Profeta, Timothy <Profeta.Timothy@epa.gov>  
Sent: Wednesday, January 19, 2022 12:54 PM  
To: Greg White <gwhite@naruc.org>  
Subject: RE: Making an Introduction

Would be happy to do either, but let's say zoom? And if you send an invite over, I'll accept immediately. Look forward to it.

Tim

-----Original Message-----

From: Greg White <gwhite@naruc.org>  
Sent: Wednesday, January 19, 2022 12:51 PM  
To: Profeta, Timothy <Profeta.Timothy@epa.gov>  
Subject: RE: Making an Introduction

Yes, I am available at 2 pm tomorrow. Phone call or Zoom? Would you like me to send a calendar invite?

-----Original Message-----

From: Profeta, Timothy <Profeta.Timothy@epa.gov>  
Sent: Wednesday, January 19, 2022 12:46 PM  
To: Greg White <gwhite@naruc.org>  
Subject: RE: Making an Introduction

Hi Greg --

Wonderful -- my day tomorrow just opened via cancellation. Do you have a good time somewhere between 1030 and 3? Look forward to it.

Best,

Tim

-----Original Message-----

From: Greg White <gwhite@naruc.org>  
Sent: Wednesday, January 19, 2022 12:43 PM  
To: Profeta, Timothy <Profeta.Timothy@epa.gov>  
Subject: RE: Making an Introduction

Hi Tim,  
Sure, happy to chat. Please let me know when you may be available.  
Thank you.

Greg  
NARUC  
202-441-0529 mobile

-----Original Message-----

From: Profeta, Timothy <Profeta.Timothy@epa.gov>  
Sent: Tuesday, January 18, 2022 12:26 PM  
To: Greg White <gwhite@naruc.org>  
Subject: RE: Making an Introduction

Hello Greg --

Would you have a moment to talk in the near future? I would like to see if there was a possibility of structuring some EPA/NARUC conversations in the context of your upcoming national meeting.

Hope you are well,

Tim

Tim Profeta  
Special Counsel for the Power Sector  
Office of Air Quality, Planning and Standards U.S. Environmental Protection Agency  
Profeta.Timothy@epa.gov

Office: 919/541-5667  
Mobile: 919/309-5395

-----Original Message-----

From: Greg White <gwhite@naruc.org>  
Sent: Monday, October 11, 2021 9:27 PM  
To: Cheryl LaFleur [Ex. 6 Personal Privacy (PP)]  
Cc: Profeta, Timothy <Profeta.Timothy@epa.gov>  
Subject: RE: Making an Introduction

Hi Cheryl,  
Thank you for the introduction to Tim. I was hoping to get to the NECPUC conference myself, but couldn't make it work. I hope we'll see you in DC in February.  
Tim - It's a pleasure to meet you here. Congratulations on the EPA post. I'm happy to connect with you and discuss how NARUC can be engaged and part of the process.  
You have my email address, but let me provide the rest of my contact info below.  
Thank you again Cheryl!  
Best,  
Greg

Greg R. White, Executive Director  
National Association of Regulatory Utility Commissioners  
1101 Vermont Ave, NW, Suite 200  
Washington, DC 20005  
Office: 202-898-2208  
Mobile: 202-441-0529  
Email: gwhite@naruc.org  
<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.naruc.org%2F&data=04%7C01%7CProfeta.Timothy%40epa.gov%7C5a026ce534fe42e0dfbc08d98d1f9dd8%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637695989341926855%7CUnknown%7CTWFpbGZsb3d8eyJWIjoIMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCi6Mn0%3D%7C3000&sdata=cpuGDUU9di1Vn01KwXV%2B7g2bpf7SchBHT8F1EJmndw4%3D&reserved=0>

-----Original Message-----

From: Cheryl LaFleur [Ex. 6 Personal Privacy (PP)]  
Sent: Monday, October 11, 2021 4:08 PM  
To: Greg White <gwhite@naruc.org>  
Cc: Timothy Profeta <Profeta.Timothy@epa.gov>  
Subject: Making an Introduction

Hi Greg,

I hope you are doing well. I am sure you are busy getting ready for the NARUC meeting in Louisville. Unfortunately, I won't be at that one, although I will be at NECPUC in a couple weeks and hope to attend the NARUC February meeting.

I am writing to make an introduction. I had a call this morning with Tim Profeta, cc'd on this email. Tim, who previously ran the Nicholas Institute at Duke University, has just been named special counsel in the EPA Office of Air Quality Planning and Standards. He will be leading their power sector work, which I understand includes both the next stage of GHG regulation and other aspects of EPA's work.

I was telling Tim about how the EPA worked with FERC and NARUC back when I was at FERC on both Mercury and Air Toxics and the Clean Power Plan, including through the FERC/NARUC Task Force on Reliability and the Environment. I offered to make an introduction to you to possibly continue the conversation with NARUC.

Thanks, Greg, for any help you can provide, and I hope our paths cross soon.

All best,  
Cheryl

Cheryl A. LaFleur  
[Ex. 6 Personal Privacy (PP)]  
cal2267@columbia.edu  
[Ex. 6 Personal Privacy (PP)]

## Message

**From:** Carbonell.Tomas@epa.gov [Carbonell.Tomas@epa.gov]  
**Sent:** 12/9/2021 1:19:55 AM  
**To:** DeLuca, Isabel [DeLuca.Isabel@epa.gov]  
**CC:** Kim, Eunjung [Kim.Eun@epa.gov]; Kabanda, Thierry [Kabanda.Thierry@epa.gov]; Millett, John [Millett.John@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]  
**Subject:** Re: Environmental Justice Meeting Request  
**Attachments:** 12.9.21 Vinyl Institute Carbonell.docx

Thanks Isabel. What time is this now scheduled to take place?

Sent from my iPhone

On Dec 8, 2021, at 7:05 PM, DeLuca, Isabel <DeLuca.Isabel@epa.gov> wrote:

Hi Tomás,

Since the Vinyl institute has asked to hear about EPA's climate work, attached is a compilation of our key talkers on recent OAR climate activities. It's probably just over 10 minutes, so feel free to cut. I've asked OAQPS if they can provide any background on OAR regs that affect this group, in case you get questions during Q&A, but given that this came up quickly, I may not get anything from them until tomorrow morning.

Thanks,  
 Isabel

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**From:** Kim, Eunjung <Kim.Eun@epa.gov>  
**Sent:** Wednesday, December 8, 2021 12:32 PM  
**To:** Carbonell, Tomas <Carbonell.Tomas@epa.gov>; Kabanda, Thierry <Kabanda.Thierry@epa.gov>  
**Cc:** DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Millett, John <Millett.John@epa.gov>; Campbell, Ann <Campbell.Ann@epa.gov>  
**Subject:** FW: Environmental Justice Meeting Request

Hey Tomas,

I wanted to follow up with you on the invitation from the Vinyl Institute for a meet and greet meeting. Below is the proposed agenda. With OW and OLEM speakers joining as well, you will only need to participate for 30 minutes with you only needing to speak for ~10 minutes. Of the topics they have asked to cover, the only OAR item is carbon reduction. I know Isabel has already started to assemble some TPs.

We are working on finalizing a time for this meeting and have offered them 3:30-4 p.m. or 4:30-5 p.m. tomorrow and will let you know once that's confirmed.

Thierry – would you mind putting in holds for Tomas for the 2 times blocks for now? I will follow up on what time block we end up at.

Please let me know if you have any questions.

Thanks!

Eunjung Kim  
 Special Assistant  
 Office of Air and Radiation  
 Environmental Protection Agency

(202) 815-7252

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**From:** Joseph, Dominique <[Joseph.Dominique@epa.gov](mailto:Joseph.Dominique@epa.gov)>  
**Sent:** Wednesday, December 8, 2021 11:52 AM  
**To:** Kim, Eunjung <[Kim.Eun@epa.gov](mailto:Kim.Eun@epa.gov)>  
**Cc:** Levy, Maxwell <[Levy.Maxwell@epa.gov](mailto:Levy.Maxwell@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>; DeLuca, Isabel <[DeLuca.Isabel@epa.gov](mailto:DeLuca.Isabel@epa.gov)>  
**Subject:** RE: Environmental Justice Meeting Request

Eunjung,

We're still hoping to include a senior staff member from OW and OLEM to discuss water infrastructure and sustainability/recycling, respectively, but I spoke with the organizer and if Tomas is only able to attend and speak to carbon reduction, that's fine too. The meeting format is informal (no formal remarks are required) and I don't anticipate it will be any longer than 1 hour (with 3 EPA participants; 30 minutes with just Tomas).

I've noted Tomas' availability of 3:30-4 p.m. or 4:30-5 p.m. tomorrow and shared that with OW and OLEM for consideration.

Here's a draft agenda should we have all 3 EPA participants:

- Intro of Executive Committee members – 5 mins
- Brief overview of the committee and the objectives of the meeting – 10 mins
- EPA introductions and brief overview of EPA priorities/recent actions regarding carbon reduction, water infrastructure, and sustainability/recycling; discussion with committee members – 30-40 mins **\*we could probably have Tomas brief first depending on the time in case he needs to hop off\***
- Conclusion – 5 mins

Please let me know if you have any additional questions. As soon as I hear back from OW and OLEM on their participation, I'll let you know.

Thanks,

Dominique

*Dominique Joseph (she/her/hers)*  
Senior Communications Advisor  
U.S. Environmental Protection Agency  
202-805-3635 (cell)  
202-564-1767 (office)  
[joseph.dominique@epa.gov](mailto:joseph.dominique@epa.gov)